MEETING AGENDA
ENVIRONMENTAL PROTECTION COMMISSION
SIOUX CITY CONVENTION CENTER
801 - 4th STREET
SIOUX CITY, IOWA
August 20-21, 1990

Meeting convenes at 11:00 a.m., August 20, 1990 in Rooms 3 & 4 of the Convention Center and reconvenes at 8:30 a.m., August 21, if necessary.

Appointments:

Ed Kistenmacher (Item #17 & 17A) (August 20)	1:30 p.m.
Robb Hubbard (Item #17) (August 20)	1:45 p.m.
Public Participation (August 20)	2:00 p.m.

1. Approve Agenda.
2. Approve Minutes of July 16, 1990.
3. Director's Report. (Wilson) Information.
4. Monthly Reports. (Stokes) Information.
5. Final Rule--Chapter 209, Grants for Solid Waste Demonstration Projects. (Hay) Decision.
6. Selection Process for Section 319 Projects. (Stokes) Information.
7. Section 319 Non-Point Control Project Contract. (Kuhn) Decision.
8. Budget Request--FY 92/93 Decision Packages. (Kuhn) Decision.
9. Solid Waste Disposal in Iowa. (Stokes/Hay) Information.
10. Asphalt and Tire Disposal in Iowa. (Stokes) Information.
11. Final Rule--Chapter 39, Requirements for Properly Plugging Abandoned Wells. (Stokes) Decision.
12. Construction Grants Priority List FY 91, Authorization for Public Hearing. (Stokes) Decision.
13. Final Rule--Chapter 61, Water Quality Standards: Use Designation - Phase I. (Stokes) Decision.
14. Notice of Intended Action--Chapter 61, Water Quality Standards: Use Designation - Phase II. (Stokes) Decision.

15. Water Quality Standards - Human Health Criteria Economic Assessment. (Stokes) Decision.

16. Proposed Rule--Chapter 63, Monitoring, Analyzing and Reporting Requirements, Effluent Toxicity Testing. (Stokes) Information.

17. Final Rule--Chapter 121, Land Treatment Procedures for Petroleum Contaminated Soils. (Stokes) Decision.

17A. Final Rule--Chapter 135, Technical Standards for Underground Storage Tanks. (Stokes) Decision.

18. Proposed Contested Case Decision--Louisa Courts Water Supply. (Combs) Decision.

19. Referrals To The Attorney General. (Combs) Decision.

    (a) Holnam Northwestern Cement (Mason City)
    (b) John J. Witt (Long Grove)
    (c) Larry Denham (Ottumwa)
    (d) The New Shack Tavern (Cedar Rapids)
    (e) Swea City Oil Company
    (f) Amoco Oil Company (Des Moines/Ft. Madison)
    (g) City of Alden
    (h) Craig Natvig

20. Notice of Intended Action--Chapter 133, Groundwater Cleanup Guidelines. (Combs) Decision.

21. Legislation. (Combs) Information.

22. General Discussion Items.

23. Address Items for Next Meeting.

NEXT MEETING DATES

September 17-18, 1990
October 15-16, 1990
November 19-20, 1990

ENVIRONMENTAL PROTECTION COMMISSION

Monday, August 20, 1990

NAME	COMPANY OR AGENCY	CITY
Theresa L Kehoe	Sen Dem Research Staff	DSM
Lori Furlong	KTIV Channel 4	SC
Scott P. Langel	City of LeMars	LeMars
Vae Kehrberg	plymouth co Solid Waste	Le Mars
Mark Ely		Sioux City
Christopher Lantz		
Dan Dillon	SC Journal	S.C.
Jack Seaner	ABI	Des Moines
Betsy Chilton	KSCJ	
Tom Royce IN 9th	Iowa Public Service	Sioux City
Paul Nash	City of Sioux City	
John Green	B.V. County Landfill	Storm Lake IA
Dave Wiley	IC	IC
Steve Hoambrecker	City of Sioux City	Sioux City
Anna Thompson	KGLI/KWSL	Sioux City

ENVIRONMENTAL PROTECTION COMMISSION

Monday, August 20, 1990

NAME	COMPANY OR AGENCY	CITY
Ed Kistenmacher	Petroleum Marketers of Ia	Des Moines
Rudy J Mach	City of Sioux City	Sioux City
Ross Hobbs	William & Co	
Bill McAllister	ISP, Inc.	Sioux City
Phil Packard	SIMPCO	"
& intern	Iowa Public Service	Sioux City
Tim Rollinger		
Betsy Chilton	KSCJ	

Minutes of the Environmental Protection Commission Meeting

August 20-21, 1990

Sioux City, Iowa

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AUGUST 1990 COMMISSION MEETING

The meeting of the Environmental Protection Commission was held in Sioux City, Iowa, convening at 11:00 a.m. on August 20, 1990.

MEMBERS PRESENT

Mike Earley, Rozanne King, Charlotte Mohr, Margaret Prahl, Gary Priebe, Nancylee Siebenmann, and Clark Yeager.

MEMBERS ABSENT

William Ehm, Richard Hartsuck

ADOPTION OF AGENDA

Motion was made by Margaret Prahl to approve the agenda as presented. Seconded by Nancylee Siebenmann. Motion carried unanimously.

ADOPTION OF MINUTES

Margaret Prahl questioned the wording of the motion on Page 59 relating to approval of a budget process regarding equipment purchases. It was decided, if necessary, to make a correction later.

Motion was made by Margaret Prahl to approve the Minutes of July 16, 1990 as presented. Seconded by Clark Yeager. Motion carried unanimously.

DIRECTOR'S REPORT

Director Wilson stated that the Iowa State Fair is currently taking place and he encouraged the Commissioners to visit the

excellent displays set up by the Environmental Protection and the Waste Management Authority divisions at the DNR building.

Mr. Wilson reported that two workshops regarding Comprehensive Planning for Landfill Development - Phase I and II have been scheduled at Carroll and Waterloo later this year.

MONTHLY REPORTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The following monthly reports are enclosed with the agenda for the Commission's information.

1. Rulemaking Status Report

2. Variance Report

3. Hazardous Substance/Emergency Response Report

4. Enforcement Status Report

5. Contested Case Status Report

Members of the department will be present to expand upon these reports and answer questions.

(Reports are shown on the following 14 pages)

IOWA DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
RULEMAKING STATUS REPORT
August 1, 1990

PROPOSAL	NOTICE TO COMMISSION	NOTICE PUBLISHED	RULES REVIEW COMMITTEE	HEARING	SUMMARY OF COMMENTS & RECOMMENDATIONS TO COMMISSION	RULES ADOPTED	RULES PUBLISHED	RULE EFFECTIVE
1. Ch. 22 - Controlling Air Pollution	5/21/90	6/13/90	7/10/90	7/11/90 7/12/90	*9/17/90	*9/17/90	*10/17/90	*11/21/90
2. Ch. 39 - Requirements for Properly Plugging Abandoned Wells	6/18/90	7/11/90	8/14/90	7/31/90	8/20/90	*8/20/90	*9/19/90	*10/24/90
3. Ch. 40, 41 & 43 - Water Supply Surface Water Filtration	5/21/90	6/13/90	7/10/90	7/09/90 7/10/90 7/11/90 7/12/90	*9/17/90	*9/17/90	*10/17/90	*11/21/90
4. Ch. 60 & 62 - Definitions, Federal Effluent and Pretreatment Standards	7/16/90	8/08/90	*/ /90	*9/04/90	*10/15/90	*10/15/90	*11/14/90	*12/19/90
5. Ch. 61 - Water Quality Standards - Human Health Criteria	6/18/90	7/11/90	8/14/90	8/01/90 8/02/90 8/07/90	*9/17/90	*9/17/90	*10/17/90	*11/21/90
6. Ch. 61 - Phase I Water Body Classifications	5/21/90	6/13/90	7/10/90	7/09/90 7/10/90	8/20/90	*8/20/90	*9/19/90	*10/24/90
7. Ch. 61 - Phase II Water Body Use Designations	8/20/90	*9/17/90	*10/ /90	*10/ /90	*11/ /90	*11/ /90	*12/ /90	*1/ /91
8. Ch. 63 - Effluent Monitoring Requirements	*9/17/90	*10/17/90	*11/ /90	*11/ /90	*12/ /90	*12/ /90	*1/ /91	*2/ /91
9. Ch. 69 & 121 - Land Application of Municipal Sludge and Other Wastes	5/21/90	6/13/90	7/10/90	7/09/90 7/10/90 7/11/90	*9/17/90	*9/17/90	*10/17/90	*11/21/90
10. Ch. 100, 104, 105 - Compost and Yard Waste	4/16/90	5/16/90	6/08/90	6/5-7/90 6/11-12/90	*9/17/90	*9/17/90	*10/17/90	*11/21/90
11. Ch. 109 - Landfill Alternative Grants	*9/17/90	*10/17/90	*11/ /90	*11/ /90	*12/ /90	*12/ /90	*1/ /91	*2/ /91
12. Ch. 121 - Land Treatment of Petroleum Contaminated Soils	4/16/90	5/16/90	6/08/90	6/05/90 6/06/90 6/07/90 6/11/90 6/12/90	*9/17/90	*9/17/90	*10/17/90	*11/21/90
13. Ch. 121 - Land Application of Sludge	*9/17/90	*10/17/90	*11/ /90	*11/ /90	*12/ /90	*12/ /90	*1/ /91	*2/ /91
14. Ch. 133 - Groundwater Cleanup Guidelines	8/20/90	*9/19/90	*10/ /90	*10/ /90	*11/ /90	*11/ /90	*12/ /90	*1/ /91
15. Ch. 135 - LUST Cleanup	2/19/90	3/21/90	4/12/90	4/10/90 4/12/90 4/13/90	8/20/90	*8/20/90	*9/19/90	*10/24/90
16. Ch. 209 - Grants for Solid Waste Demonstration Projects	5/21/90	6/13/90	7/10/90	7/05/90	8/20/90	*8/20/90	*9/19/90	*10/24/90

*Projected

MONTHLY VARIANCE REPORT						
Month: July, 1990						
No.	Facility	Program	Engineer	Subject	Decision	Date
1.	Star Inn - Poweshiek County	Wastewater Construction	Bishop Engineering	Number of Aerated Cells	Approved	07/03/90
2.	City of Johnston	Wastewater Construction	Bishop Engineering	Valve Pit	Approved	07/10/90
3.	City of Preston	Wastewater Construction	IIW Engineers	Communitor Size	Approved	07/20/90
4.	Jones County	Flood Plain	County Engineer	Freeboard	Approved	07/02/90
5.	Woodbury County	Flood Plain	H. Gene McKeown & Associates	Freeboard	Approved	07/02/90
6.	Winnebago County	Flood Plain	Calhoun-Burns & Associates	Backwater	Approved	07/12/90
7.	Clay County	Flood Plain	Kuehl & Payer Engineers	Freeboard	Approved	07/20/90

TOPIC: Report of Hazardous Conditions

During the period July 1, 1990 through July 31, 1990, reports of 114 hazardous conditions were forwarded to the Central Office. Two incidents are highlighted below. A general summary and count by field office is attached. These do not include releases from underground storage tanks, which are reported separately.

Date Reported and County	Description: Material, Amount, Date of Incident, Cause, Location, Impact	Responsible Party	Response and Corrective Actions
07/13/90 HARDIN	A tank trailer at the old Farmland facility on County Road S-45 in Iowa Falls, Iowa was discovered on its side on the morning of July 13, 1990. About 4,000 gallons of diesel fuel entered a drain and tile line, and flowed to a creek that leads to the Iowa River.	Great Plains Construction Box 343 Iowa Falls, Iowa 50126	Absorbent material was used to clean up the product that remained on site. A series of bypass dams and straw barriers were constructed on the creek to contain the fuel. Vacuum trucks and absorbents were used to collect the oil.
07/30/90 POLK	A maintenance crew working on an adjacent tank opened a cap on the wrong manifold of an aboveground tank at 2503 SE 43rd Street in Pleasant Hill, Iowa on July 30, 1990, and allowed nearly 3,000 gallons of #2 fuel oil to spill into a contained area.	Williams Pipeline 3636 Westown Parkway Suite 215 West Des Moines, Iowa 50265	About 2,940 gallons of product were pumped out of the containment area. Contaminated soil was excavated for disposal.

Allan E. Stokes
Administrator
Environmental Protection Division

NUMBERS IN PARENTHESES REPRESENT REPORTS FOR THE SAME PERIOD IN FISCAL YEAR 1989

Substance Type | Mode

Month	Total # of Incidents	Petroleum Product	Agri. Chemical	Other Chemicals and Substances	Handling and Storage	Pipeline	Highway Incident	RR Incident	Fire	Other
July	114(74)	56(35)	21(9)	37(30)	72(45)	0(1)	31(20)	0(2)	0(2)	11(4)

Total # of Incidents Per Field Office This Period

01	02	03	04	05	06
13	12	13	11	38	27

REPORTS OF RELEASES FROM UNDERGROUND STORAGE TANKS

During the period of July 1, 1990 through July 31, 1990, the following number of releases from underground storage tanks were identified.

139 (43)

The number in parentheses represents the number of releases during the same period in Fiscal Year 1989.

The following new enforcement actions were taken last month:

Name, Location and Field Office Number	Program	Alleged Violation	Action	Date
Plymouth County Solid Waste Agency (3)	Solid Waste	Construction Without Permit; Monitoring/ Reporting; Compliance Schedule; Leachate Control; Cover Violations	Order/Penalty	7/02/90
Trash Reduction Systems,Inc. Polk County (5)	Solid Waste	Other - Litter	Order/Penalty	7/02/90
Donald R. Null, Clinton County (2)	Solid Waste Air Quality	Illegal Disposal Open Burning	Amended Order	7/02/90
Nevada, City of (5)	Wastewater	MIP	Amended Order	7/02/90
Archer-Daniels-Midland Co., Clinton (2)	Solid Waste	Operation Without Permit	Order	7/02/90
Donald Baldwin d/b/a Baldwin Trucking, Rake (2)	Underground Tank	Remedial Action	Order	7/02/90
Ken Van Hulzen d/b/a Van Hulzen Oil Co., What Cheer (6)	Underground Tank	Remedial Action	Order	7/02/90
IBP, inc., Perry (5)	Wastewater	Prohibited Discharge	Order	7/05/90
Lake Manawa Nissan, Inc., Council Bluffs (4)	Underground Tank	Remedial Action	Order	7/05/90
Dominic Giametta d/b/a Fred's 66, Davenport (6)	Underground Tank	Remedial Action	Amended Order	7/05/90
Geroge Gerdes; Hattie LaRue; and Willow Tree Investment, Franklin County (2)	Air Quality Solid Waste	Open Burning Illegal Disposal	Order	7/05/90
King's Terrace Mobile Home Court, Ames (5)	Wastewater	Monitoring/Reporting, Discharge Limits, Operational Violations	Amended Order	7/05/90
Jamaica Water Supply (4)	Drinking Water	Public Notice	Amended Order	7/13/90
Dawson Water Works (5)	Drinking Water	Public Notice	Amended Order	7/13/90
Spring Valley Mobile Home Park, Dubuque (1)	Wastewater	Operational Violations	Amended Order	7/13/90
Guthrie County Home, Guthrie Center (4)	Drinking Water	Monitoring/Reporting -	Order	7/13/90
Iowa Dress Club, Inc., Oskaloosa (5)	Wastewater Solid Waste	Prohibited Discharge, Illegal Disposal	Referred to AG	7/16/90
William Root; LAWNKEEPERS, Mitchell County (2)	Wastewater	Prohibited Discharge	Referred to AG	7/16/90
Preston, City of (1)	Wastewater	Discharge Limits	Order	7/23/90
Meadow Gold Dairies, Des Moines (5)	Wastewater	Prohibited Discharge	Order/Penalty	7/23/90
Don Griga, St. Ansgar (2)	Wastewater	Monitoring/Reporting, Certified Operator	Order	7/26/90
St. Ansgar, City of (2)	Wastewater	Monitoring/Reporting	Order/Penalty	7/26/90
Taylor Oil Company, Inc. d/b/a Aunt Kate's Restaurant and Hawkeye 29 Restaurant, Inc., Missouri Valley (4)	Drinking Water	Public Notice	Order/Penalty	7/26/90
Charles Behr and Susan E. Behr, Algona (2)	Air Quality	Open Burning	Order/Penalty	7/26/90

Summary of Administrative Penalties

The following administrative penalties are due:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
Handi-Klasp, Inc. (Webster City)	WW/HC	1,000	8-02-88
Craig Natvig (Cerro Gordo Co.)	SW	750	6-18-90
Park Village Apartments (Waverly)	WS	200	7-04-90
Mason City Water Supply	WS	200	7-09-90
Winter Mobile Home Park (New Hampton)	WS	200	7-25-90
Grand Vu Mobile Home Park (Tripoli)	WS	200	7-25-90
Breda Water Supply	WS	200	7-25-90
Brayton Water System	WS	200	7-26-90
Alden Water Supply	WS	200	7-29-90
*Gilbert John Fjone (Swaledale)	SW	250	8-22-90
Knapp Mobile Home Court No. 4 (Dubuque)	WS	260	8-26-90
Gerald G. Pregler (Dubuque Co.)	SW	1,000	9-02-90
Donald R. Null (Clinton Co.)	AQ/SW	1,000	9-06-90
Trash Reduction Systems, Inc. (Polk Co.)	SW	1,000	9-07-90
Meadow Gold Dairies (Des Moines)	WW	1,000	9-26-90
Charles and Susan Behr (Algona)	AQ	600	9-28-90
Amoco Oil Company (Des Moines)	UT	1,000	-----
St. Ansgar, City of	WW	400	-----
Taylor Oil Co., Inc. (Missouri Valley)	WS	215	-----
Bankston Public Water System	WS	200	-----
Vernon Heights Mobile Home Park (Cedar Rapids)	WS	200	-----
Lakewood Hills Apartments (Coralville)	WS	200	-----
Mt. Joy Mobile Home Park (Davenport)	WS	200	-----
Orchard Water Works	WS	200	-----
Country Estates Mobile Home Park (Long Grove)	WS	200	-----

The following cases have been referred to the Attorney General:

NAME/LOCATION	PROGRAM	AMOUNT	DUE DATE
OK Lounge (Marion)	WS	448	11-01-87
Richard Davis (Albia)	SW	1,000	2-28-88
McCabe's Supper Club (Burr Oak)	WS	335	12-14-88
Eagle Wrecking Co. (Pottawattamie Co.)	SW	300	5-07-89
*Twelve Mile House (Bernard)	WS	119	5-20-89
*Lawrence Payne (Ottumwa)	SW	425	6-19-89
Stan Moser (Hudson)	SW	250	6-27-89
Richard Kleindolph (Muscatine)	SW	500	8-17-89
Robert Fisch (Manchester)	AQ	600	9-01-89
William L. Bown (Marshalltown)	SW	1,000	10-01-89
Darlo Schaap (Sioux Center)	SW	600	1-14-90
Stringtown Country Cafe (Lenox)	WS	200	2-01-90
Wellendorf Trust (Algona)	AQ/SW	460	2-12-90
Donald P. Ervin (Ft. Dodge)	SW	1,000	3-05-90
East Side Acres (Moville)	WS	200	12-26-89
East Side Acres (Moville)	WS	600	4-01-90

The following administrative penalties have been appealed:

NAME/LOCATION	PROGRAM	AMOUNT
AMOCO Oil Co. (Des Moines)	UT	1,000
Iowa City Regency MHP	WW	1,000
Thomas E. Lennon (Barnum)	FP	700
Great Rivers Coop (Atavia)	HC	1,000
1st Iowa State Bank (Albia)	SW	1,000
Cloyd Foland (Decatur)	FP	800
City of Marcus	WS	1,000
Superior-Ideal, Inc. (Oskaloosa)	WW	1,000
IBP, inc. (Columbus Junction)	WW	600
King's Terrace Mobile Home Court (Ames)	WW	1,000
King's Terrace Mobile Home Court (Ames)	WS	315
Premium Standard Farms, Inc. (Boone Co.)	WW/AQ	700
Amoco Oil Co. (West Des Moines)	UT	1,000
Circle Hill Farms, Ltd. (Ellsworth)	SW	600

*On Payment Schedule

Cozy Cafe (Lucas)	WS	500
Stone City Iron & Metal Co. (Anamosa)	AQ	1,000
Manson Water Supply	WS	500
Ruth Ann Coe (Mason City)	AQ/SW	1,000
Joe Villinger (West Point)	SW	500
Midwest Mining, Inc. (Harrison Co.)	FP	800
Holiday Lake Water System Ltd. (Brooklyn)	WS	700
Rasch Construction, Inc. (Ft. Dodge)	AQ	1,000
American Meat Protein Corp. (Lytton)	WW	1,000
Fred Calabro (Pottawattamie Co.)	SW	1,000
Lytton, City of	WW	1,000
Gerald Reimer (Clayton County)	SW	600
Louisa Courts (Muscatine)	WS	400
Orchard, City of	WW	1,000
Harcourt Water Supply	WS	500
Sioux City, City of	WW	1,000
Donald Ray Maasdam (Pocahontas Co.)	SW	1,000
Vern Starling (Boone Co.)	SW	1,000
Webster Co. Solid Waste Comm. (Webster Co.)	SW/AQ	1,000
Des Moines, City of	HC	1,000
Carl A. Burkhart d/b/a American Wrecking Co.	AQ/SW	1,000
Van Dusen Airport Services (Des Moines)	HC	1,000
Des Moines, City of	WW	1,000
Troy Mills Dam Assn. (Troy Mills)	FP	300
Maple Crest Motel and MHP (Mason City)	WS	350
Carroll Municipal Water Supply	WS	200
Geneva Grain & Lumber, Inc. (Franklin Co.)	WW/SW	1,000
Plymouth County Solid Waste Agency	SW	1,000

The following administrative penalties were paid last month:

NAME/LOCATION	PROGRAM	AMOUNT
West Des Moines Water Works	WS	200
Greenfield Plaza Water Dist. (Des Moines)	WS	200
Irvin Lange (Alden)	AQ	375
Sheldon Water Department	WS	100
Robert E. Zezulka (Allamakee Co.)	SW	100
Jefferson Water Dept.	WS	200
*Gilbert John Fjone (Swaledale)	SW	50
Bluffton Store (Decorah)	WS	445
The Michaelson Corp. (Kossuth Co.)	AQ	300
Winterset, City of	WW	1,000
Alta Vista Water Department	WS	200
Victor Carlson (Ft. Dodge)	AQ	100
	TOTAL	$3,270

The $200 penalty assessed Olin Water Supply was rescinded.

The $200 peanlty assessed Jamaica Water Supply was rescinded.

The $200 penalty assessed Dawson Water Works was rescinded.

The $1,000 penalty assessed Fred Calabro was rescinded.

*On Payment Schedule

ADMINISTRATIVE PENALTY SUMMARY

07-01-90

The table below summarizes administrative penalty assessments since July, 1988. Other summaries exist for prior fiscal years. The first column of this table is a rough breakdown of the environmental program and violation types for which penalties have been assessed. The middle columns state the dollar amounts collected during the stated time periods, and the number of cases in parentheses. The last column states similar data for cases still pending as of July, 1990 (penalties appealed, delinquent or assessed but not yet due).

Violation Type	FY-89	FY-90 4th Qtr	TOTAL FY90	PENDING
WW Discharge	$ 7,355 (07)	$ 1,750 (03)	$ 8,350 (10)	$ 8,000 (08)
WW Monitoring	4,450 (09)	1,000 (01)	1,000 (01)	1,000 (01)
WW Other	4,172 (07)	1,500 (02)	1,500 (02)	7,300 (08)
SW Permit	1,800 (03)	---	5,027 (07)	1,000 (01)
SW Open Dumping	2,958 (09)	1,000 (03)	3,519 (08)	14,285 (20)
Air Permit	3,500 (08)	1,200 (02)	6,850 (13)	1,000 (01)
Air Open Burning	5,134 (12)	2,000 (04)	3,605 (08)	6,300 (08)
WS Monitoring	15,804 (102)	2,672 (17)	9,869 (60)	5,672 (24)
WS Permit	2,100 (08)	300 (01)	1,500 (03)	4,200 (07)
Flood Plain	800 (01)	---	1,536 (05)	2,600 (04)
HC Notice	600 (01)	---	500 (01)	---
Water Use	---	---	3,000 (03)	---
Construction Permit	150 (01)	---	---	---
Underground Tanks	500 (01)	---	---	3,000 (03)
TOTALS	**$49,323 (169)**	**$11,427 (33)**	**$45,256(121)**	**$ 54,357 (85)**

DEPARTMENT OF NATURAL RESOURCES
ENVIRONMENTAL PROTECTION COMMISSION
ATTORNEY GENERAL REFERRALS
August, 1990

Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Aidex Corporation Council Bluffs (4)	Updated	Hazardous Waste	Release of Hazardous Substances	Referred to Attorney General	Referred EPA suit filed State intervention Motion to dismiss granted/denied Filed interlocutory appeal Decision in favor of govt. Case Management Hearing	12/16/82 2/26/87 3/05/87 2/26/88 3/11/88 4/04/89 8/08/90
William L. Bown Marshalltown (5)	Updated	Solid Waste	Open Dumping	Order/Penalty	Referred Petition Filed Default Judgment	11/20/89 3/03/90 7/27/90
Bozarth and Bell, Inc. Davenport (6)		Solid Waste	Open Dumping	Order	Referred Default Judgment $7500 Second Lawsuit Filed Consent Decree Filed New Case Hearing Set	2/20/87 6/22/87 8/07/88 8/23/88 11/01/88 8/16/90
Bridgestone/Firestone, Inc. Des Moines (5)		Wastewater Hazardous Condition	Prohibited Discharge Failure to Notify	Referred to Attorney General	Referred	5/21/90
Carolan, Don and Hanson Tire Service, Cresco (1)		Solid Waste Air Quality	Illegal Disposal Open Burning	Referred to Attorney General	Referred	2/20/90
CARP vs. DNR		Wastewater	IBP Permit	Amended Permit	Suit Filed Dismissed Order Granting Reinstatement Stay Request Withdrawn	5/20/88 1/01/90 3/27/90 4/13/90
Clear Lake Sanitary District (2)	Updated	Wastewater	Compliance Schedule	Referred to Attorney General	Referred Petition Filed	4/16/90 7/30/90

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Name, Location and Region Number	New or Updated	Program	Alleged Violation	DNR Action	Status	Date
Ervin, Don Webster County (2)	Updated	Solid Waste	Operation Without Permit	Order/Penalty	Referred Motion for Summary Judgment Hearing Held Judgment for $1,000	4/16/90 6/02/90 7/02/90 7/13/90
Fairfield, City of (6)	Updated	Wastewater	Monitoring/Reporting Discharge Limitations Operation Violation	Order	Referred Petition Filed	2/20/90 7/31/90
Giametta, Dominic d/b/a Fred's 66, Davenport (6)		Underground Tank	Remedial Action	Order/Penalty	Referred Petition Filed	12/11/89 7/02/90
Eagle Wrecking Co. Pottawattamie Co. (4)		Solid Waste	Open Dumping	Order/Penalty	Referred Bankruptcy Claim Filed	6/21/89 7/24/89
Fisch, Robert Manchester (1)		Air Quality	Open Burning	Order/Penalty	Referred Motion for Summary Judgment Judgment for $600	10/24/89 12/05/89 2/27/90
Fjone, Gilbert Swaledale (2)		Solid Waste	Open Dumping	Order/Penalty	Referred Payment Schedule	10/24/89 6/ /90
Humboldt Co. Landfill Commission (2)		Solid Waste	Cover Violations	Order/Penalty	Referred	11/20/89
Iben, Fred Monticello (1)		Solid Waste	Open Dumping	Order	Referred Petition Filed	11/20/89 4/20/90
Iowa Dress Club, Inc. Oskaloosa (5)	New	Wastewater Solid Waste	Prohibited Discharge Illegal Disposal	Referred to Attorney General	Referred	7/16/90
Jorgenson, Harris (2)		Air Quality	Operation Without Permit	Referred to Attorney General	Referred	4/16/90
Kleindolph, Richard Muscatine (6)	Updated	Solid Waste	Open Dumping	Order/Penalty	Referred Petition Filed Motion for Default Judgment	10/24/89 4/06/90 7/25/90
Kollbaum, Garry East Side Acres Moville (3)		Drinking Water	MCL-Nitrate	Order/Penalty	Referred Petition Filed	5/21/90 7/02/90
Lakeshore Drive, Inc. et.al. Osceola (5)		Flood Plain	Reconstruction	Order	Referred Petition Filed Judgment vs. Lakeshore	11/20/89 2/07/90 4/09/90
Larson, Daryl, D.V.M. Audubon (4)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	11/20/89
Lucas-Monroe County Sanitary Landfill and Chariton, City of		Solid Waste	Operation Violations	Referred to Attorney General	Referred	5/21/90
Mathern, Larry (Larry's DX) Ralph Beck; Walker Oil Co. (5)		Underground Tank	Remedial Action	Referred to Attorney General	Referred Petition Filed	2/20/90 7/02/90
Mike McGinnis, Alfred Patten and Dennis Lewis Pottawattamie Co. (4)		Solid Waste	Open Dumping	Referred to Attorney General	Referred Suit Filed	10/24/89 11/15/89

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Mercy Hospital Medical Center Des Moines (5)		Solid Waste	Illegal Disposal	Referred to Attorney General	Referred	4/16/90
Miller Products Co. (5)		Wastewater	Pretreatment	Order/Penalty	Referred	4/16/90
Monfort, Inc. (5)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	12/11/89
Moser, Stan	Updated	Solid Waste	Open Dumping	Referred to Attorney General	Referred Petition Filed Trial Set Court Order Contempt Hearing	7/19/89 9/12/89 3/15/90 1/24/90 8/24/90
Osceola, City of (5)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	4/16/90
Pete's Sunoco/ Popejoy Septic West Des Moines		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	6/19/90
Pruess v. IDNR	Updated	Hazardous Condition	DNR Defendant	Abatement Order	Suit Filed Hearing DNR Motion to Dismiss Hearing Amended Petition DNR Motion to Dismiss Hearing Set	4/24/90 4/30/90 5/14/90 5/15/90 5/25/90 6/18/90 8/10/90
Regional Environmental Improvement Commission in Iowa County (6)	Updated	Solid Waste	Operational Violations	Referred to Attorney General	Referred Consent Decree ($3,000)	1/17/90 7/25/90
Root, William/LAWNKEEPERS Mitchell County (2)	New	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	7/16/90
Sani-Wash Corporation Clinton (6)		Wastewater	Prohibited Discharge	Referred to Attorney General	Referred	8/23/89
Schaap, Darlo Sioux Center (3)		Solid Waste	Illegal Disposal	Order/Penalty	Referred Petition Filed	2/20/90 6/21/90
Schultz, Albert and Iowa Iron Works Ely (1)		Solid Waste	Open Dumping	Referred to Attorney General	Referred	9/20/89
Sevig, Gordon, et.al. Walford (1)	Updated	Wastewater	Prohibited Discharge	Referred to Attorney General	Referred Criminal Charges Filed	9/20/89 7/15/90
Siouxland Quality Meat Co., Inc. Sioux City (3)		Wastewater	Discharge Limitations	Referred to Attorney General	Referred Petition Filed	2/20/90 7/02/90
Stickle Enterprises, Ltd. et.al., Cedar Rapids (6)		Air Quality	Open Burning	Referred to Attorney General	Referred Suit Filed Trial Set	9/20/89 10/17/89 10/16/90
Stringtown Country Cafe, Lenox (4)		Drinking Water	Monitoring/Reporting - Nitrate	Order/Penalty	Referred	3/20/90
Touchdown Co., et. al., Webster City (2)		Underground Tank	Prohibited Discharge Failure to Report Hazardous Condition	Referred to Attorney General	Referred	6/21/89
Wellendorf Trust and Lamont Wellendorf, Algona (2)		Air Quality Solid Waste	Open Burning Illegal Disposal	Order/Penalty	Referred	3/20/90
Wright County Area Landfill Authority (2)		Solid Waste	Cover Violations	Order/Penalty	Referred	3/20/90

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Yocum, Max Johnson (6)		Flood Plain	Prohibited Construction	Defending	Suit Filed	12/18/84
				Referred to Attorney General	Referred	7/12/85
					Counter Claim Filed	10/85
					Trial Held	6/16/87
					Judgment for Department	8/18/87
					Court of Appeals Affirmed Judgment	11/29/88
					Further Review Denied	2/06/89
63-180 Truckstop (Moore Oil) Malcom (5)	Updated	Wastewater	Monitoring/Reporting	Referred to Attorney General	Referred	6/19/90
					Petition Filed	7/31/90

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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
1-23-86	Oelwein Soil Service	Administrative Order	WW	Landa	Hearing continued.
12-03-86	Waukee, City of	Administrative Order	WS	Hansen	Construction completed.
5-12-87	Iowa City Regency MHP	Administrative Order	WW	Hansen	Hearing held 11-03-87.
6-11-87	Thomas Lennon	Administrative Order	FP	Clark	Appealed to District Court.
8-10-87	Great Rivers Co-op	Administrative Order	HC	Landa	Final report approved. Settlement proposed.
1-15-88	First Iowa State Bank	Administrative Order	SW	Kennedy	Oral arguments 7/27/90.
2-04-88	Beaverdale Heights, Woodsman; Westwood Hills	Administrative Order	WS	Landa	Compliance actions completed.
2-05-88	Warren County Brenton Bank	Administrative Order	UT	Landa	Phase II completed. Report reviewed.
3-01-88	Cloyd Foland	Administrative Order	FP	Clark	Appealed to Supreme Court.
5-16-88	Marcus, City of	Administrative Order	WS	Landa	Compliance achieved. Settlement proposed.
7-01-88	Superior Ideal, Inc.	Administrative Order	WW	Hansen	Hearing continued/settlement discussions.

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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
7-25-88	Nishna Sanitary Services, Inc.	Permit Conditions	SW	Landa	Compliance initiated/plans submitted/reviewed.
8-03-88	Hardin County	Permit Conditions	SW	Landa	Compliance initiated/plans submitted/reviewed.
10-03-88	IBP, Columbus Junction	Administrative Order	WW	Clark	Proposed decision 6/26/90; IBP appealed.
10-20-88	Worth Co. Co-Op Oil Northwood Cooperative Elevator Sunray Refining and Marketing Co.	Administrative Order	HC	Landa	Compliance initiated.
12-02-88	Davis Co. Board of Supervisors	Administrative Order	AQ	Landa	Hearing continued.
1-25-89	Amoco Oil Co. - Des Moines	Administrative Order	UT	Landa	Settlement proposed. Clean-up progressing.
2-10-89	Northwestern States Portland Cement Company	Site Registry	HW	Landa	Settlement proposed.
2-10-89	Baier/Mansheim/Moyer	Site Registry	HW	Landa	Hearing continued. Settlement proposed.
2-13-89	King's Terrace Mobile Home Court	Administrative Order	WW	Murphy	Hearing set for 9/13/90.
2-13-89	King's Terrace Mobile Home Court	Administrative Order	WS	Murphy	Hearing set for 9/13/90.
2-16-89	John Deere Co. - Dubuque	Site Registry	HW	Landa	Oral argument 7/30/90.
2-16-89	Premium Standard Farms	Administrative Order	WW/AQ	Murphy	Hearing continued.
3-14-89	Dannie R. Hoover and Bill Edwards	Flood Plain Permit Issuance	FP	Clark	Remand hearing 7/17&20/90.
5-01-89	Amoco Oil Co. - West Des Moines	Administrative Order	UT	Landa	Compliance initiated.
6-08-89	Shaver Road Investments	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-08-89	Hawkeye Rubber Mfg. Co.	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-08-89	Lehigh Portland Cement Co.	Site Registry	HW	Landa	Hearing continued. Discovery initiated.
6-08-89	Jay Winders	Permit Denial	FP	Clark	Settlement proposed.
6-12-89	Amana	Site Registry	HC	Landa	Negotiating before filing.
6-19-89	Grand Mound, City of	Administrative Order	WW	Hansen	Order to be amended.
6-22-89	Chicago & Northwesten Transportation Co. Hawkeye Land Co. Blue Chip Enterprises	Administrative Order	HC	Landa	Hearing held. Briefs filed. Reply briefs filed.

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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
7-11-89	Circle Hill Farms, Ltd.	Administrative Order	SW	Kennedy	Settlement pending.
7-26-89	Cozy Cafe	Administrative Order	WS	Hansen	Const. permit applic. under review by WS.
7-26-89	Midland Brick	Administrative Order	AQ	Landa	Compliance initiated.
9-01-89	Stone City Iron & Metal	Administrative Order Permit Denial	AQ	Kennedy	Temporary permit issued 5/31/90.
10-12-89	Electro-Coatings, Inc.	Administrative Order	HC	Landa	Settlement proposed.
10-24-89	Farmers Cooperative Elevator Association of Sheldon	Site Registry	HC	Landa	Negotiation proceeding.
10-24-89	Consumers Cooperative Assoc.	Site Registry	HC	Landa	Negotiation proceeding.
11-01-89	Sam Levine/Morris Levine	Site Registry	HC	Landa	Notice withdrawn.
11-03-89	Bridgestone/Firestone, Inc.	Site Registry	HC	Landa	Hearing continued pending negotiations.
11-15-89	Alcoa	Site Registry	HC	Landa	Hearing continued.
11-17-89	Aten Services, Inc.	Administrative Order	SW/UT	Landa	Compliance initiated.
11-27-89	Manson, City of	Administrative Order	WS	Hansen	City withdrew request for hearing.
12-11-89	Leo Schachtner	Permit Issuance	FP	Clark	Hearing continued.
12-21-89	Robert Coppinger and Velma Nehman	Flood Plain Permit Denial	FP	Clark	Proposed decision 5/17/90. Appealed.
1-02-90	Midwest Mining, Inc.	Administrative Order	FP	Clark	Negotiating before filing.
1-04-90	Joe Villinger	Administrative Order	SW	Kennedy	Negotiating before filing.
1-08-90	Northwestern States Portland Cement Co.	Permit Amendment	WW	Landa	Sent to DIA.
1-18-90	Midwest Fly Ash and Materials	Permit Variance Denial	SW	Landa	Hearing set for 8/7/90.
2-07-90	Jerry Jones	401 Denial	WW	Murphy	Hearing set for 8/24/90.

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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
2-13-90	Kenneth M. Rasch d/b/a Rasch Construction, Inc.	Administrative Order	AQ	Kennedy	Negotiating before filing.
2-15-90	Holiday Lake Water System, Ltd.	Administrative Order	WS	Hansen	Submittal by facility under review by WS.
2-15-90	Fred Calabro	Administrative Order	SW	Kennedy	Consent order. Appeal dismissed 7/13/90.
2-19-90	American Meat Protein Corp. and Lytton, City of	Administrative Order	WW	Hansen	Settled.
3-05-90	Gerald Reimer	Administrative Order	SW	Kennedy	Negotiating before filing.
3-05-90	College Springs, City of	Administrative Order	WS	Hansen	Settled.
3-12-90	Louisa Courts	Administrative Order	WS	Hansen	Proposed decision 7/13/90.
3-14-90	Robert E. Zezulka	Administrative Order	SW	Kennedy	Settled.
3-20-90	Kaneb Pipeline Co.	Administrative Order	HC	Landa	Hearing set for 7/18/90.
3-22-90	Arcadian Corporation	Permit Conditions	WW	Hansen	Settled.
3-22-90	Vern Starling	Administrative Order	SW	Kennedy	Hearing set for 9/14/90.
3-26-90	Loretta June Novak and Mr. and Mrs. Robert Booth, Jr.	Administrative Order	UT	Landa	Hearing continued.
3-27-90	Orchard, City of	Administrative Order	WW	Hansen	Negotiating before filing.
4-18-90	Harcourt, City of	Administrative Order	WS	Hansen	Hearing set for 8/21/90.
4-23-90	Sioux City, City of	Administrative Order	WW	Hansen	Informal meeting held on 5/18/90.
4-26-90	Donald Ray Maasdam	Administrative Order	SW	Kennedy	Hearing set for 8/9/90.
5-07-90	W.G. Block Co./Hoffman Silo Site	Site Registry	HW	Landa	Hearing continued. Negotiating.
5-08-90	Texaco Inc./Chemplex Company Site	Site Registry	HW	Landa	Hearing set for 8/13/90.
5-08-90	Webster Co. SW Commission	Administrative Order	SW/AQ	Kennedy	Hearing set for 8/24/90.
5-09-90	Raccoon Valley State Bank	Administrative Order	HC	Landa	Hearing continued. Negotiating.
5-09-90	Square D Company	Site Registry	HW	Landa	Hearing continued. Negotiating.
5-09-90	Joe & Virgina Koester/ Donn & Donna Patience	Water Use Permit	WR	Clark	Hearing set for 9/17/90.

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DATE RECEIVED	NAME OF CASE	ACTION APPEALED	PROGRAM	ASSIGNED TO	STATUS
5-11-90	Carl A. Burkhart	Administrative Order	AQ/SW	Kennedy	Hearing set for 9/11/90.
5-14-90	Van Dusen Airport Services	Administrative Order	HC	Landa	Compliance initiated.
5-15-90	Des Moines, City of	Administrative Order	HC	Landa	Hearing continued. Negotiating.
5-15-90	Des Moines, City of	Administrative Order	WW	Hansen	ALJ decision. Appeal untimely.
5-15-90	Ervin Lange	Administrative Order	AQ	Clark	Settled.
5-18-90	Latimer, City of	Open Burning Variance	AQ	Landa	Sent to DIA.
5-23-90	Solvay Animal Health, Inc.	NPDES Permit Conditions	WW	Hansen	Hearing set for 8/30/90.
5-24-90	Carroll, City of	Administrative Order	WS	Hansen	Settlement proposed.
6-06-90	Geneva Grain & Lumber, Inc.	Administrative Order	WW/SW	Kennedy	Negotiating before filing.
6-11-90	Troy Mills Dam Assoc.	Administrative Order	FP	Clark	Negotiating before filing.
6-14-90	Willow Tree Investments, Inc.	Administrative Order	UT	Landa	Negotiating before filing.
6-18-90	Sioux City, City of	NPDES Permit Conditions	WW	Hansen	Negotiating before filing.
6-18-90	Ames, City of	NPDES Permit Conditions	WW	Hansen	Sent to DIA.
6-20-90	Des Moines, City of	NPDES Permit Conditions	WW	Hansen	Informal meeting set for 8/8/90.
6-22-90	Winterset, City of	Administrative Order	WW	Hansen	Appeal withdrawn. Penalty paid.
6-26-90	Maple Crest Motel and Mobile Home Park	Administrative Order	WS	Hansen	Negotiating settlement.
7-02-90	Keokuk Savings Bank and Trust	Site Registry	HW	Landa	Sent to DIA.
7-11-90	Michaelson, Inc.	Administrative Order	AQ	Clark	Settled.
7-11-90	Chicago & Northwestern Co.	Administrative Order	NR	Kennedy	Negotiating before filing.
7-16-90	McAtee Tire, Inc.	Site Registry	HW	Landa	Sent to DIA.
7-23-90	IBP, Dakota City	Administrative Order	WW	Hansen	Negotiating settlement.
7-25-90	Thomas and Arlene Griffin	Water Use Permit	WR	Clark	New case.
7-26-90	Plymouth County SW Agency	Administrative Order	SW	Kennedy	New case.

Margaret Prahl asked about the status of the Aidex case.

Mike Murphy responded that he just returned from vacation and he has not yet heard anything on this case.

This was an informational item; no action was required.

FINAL RULE--CHAPTER 209, GRANTS FOR SOLID WASTE DEMONSTRATION PROJECTS

Teresa Hay, Division Administrator, Waste Management Authority Division, presented the following item.

The Commission is requested to adopt the proposed rule revision relating to the Grants for Solid Waste Demonstration Projects.

Notice of Intended Action was published in the June 13, 1990 Iowa Administrative Bulletin as ARC 964A. Oral comments were received from one person during the comment period. A public hearing was held in Des Moines on July 5, 1990. There was no attendance at the hearing.

The purpose of the revision is to strengthen the current rules governing the grant program and to further define or redefine eligibility requirements, evaluation criteria, establish cost-share requirements and a ceiling for funding of projects and require the use of a specific application form to be used by grant applicants.

The proposed rule revision:

- Adds additional definitions.

- Establishes new sections further defining eligible and ineligible costs.

- Adds cost-share requirements based on the type of project to be funded (following the solid waste management hierarchy). Also proposes a maximum funding level of $300,000 per project and establishes a time frame for receiving further grant funding through this program.

- Adds two (2) new project award criteria. One covering the planning and management abilities of the applicants and one evaluating public education programs inherent to many projects.

- Strikes two (2) project award criteria. The projects nearness to completion and environmental benefits and acceptability criteria were struck due to the difficult nature of using these criteria in the evaluation of the submitted proposals.

- Adds language pursuant to Iowa Code 455B.314 concerning the separation of recyclable and potentially hazardous materials before incineration of solid wastes.

- Strikes language that specifically requires the reservation of funds for environmental assessments and adds similar language to the section defining eligible projects.

- Adds new section regarding application forms that will be required by all new applicants.

- Adds new section concerning reasons for denying grant funding.

- Adds new criteria of geographic distribution of grant projects.

(Rule is shown on the following 5 pages)

ENVIRONMENTAL PROTECTION COMMISSION [567]

Adopted and Filed Rule

Pursuant to Iowa Code Sections 455B.301A and 455E.a, the Environmental Protection Commission of the Department of Natural Resources adopts amendments to 567 -- Chapter 209, "Grants for Solid Waste Demonstration Projects," Iowa Administrative Code.

The purpose of the revisions is to strengthen and clarify current rules governing the grant program, to set limits on the amount of grant funding available to any project, and to define the information required to properly evaluate grant proposals.

Notice of Intended Action was published in the June 13, 1990 Iowa Administrative Bulletin as ARC 964A. Oral comments were received from one person during the comment period. A public hearing was held in Des Moines on July 5, 1990. There was no attendnace at the hearing.

Changes from the Notice of Intended Action are as follows.

Subrule 209.8: Language from existing rules regarding the use of petroleum overcharge funds that was inadvertently ommitted in the Notice of Intended Action was reincorporated in 209.8(5).

Subrule 209.9(3)a(1): 40% changed to 35%

Subrule 209.9(3)a(4): 70% changed to 75%

Subrule 209.9(9): Criteria to consider the geographic distribution of the grants was added.

Copies of the rules may be obtained from the Records Section, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand Avenue, Des Iowa 50319-0034. These rules will become effective on October 25, 1990.

In accordance with Iowa Code section 17A.31, notice is hereby given that these rules may have an impact on small businesses.

These rules are intended to implement Iowa Code sections 455B.301A and 455E.9.

ITEM 1. Amend rule 209.1 (455B, 455E) as follows:

567--209.1(455B,455E) Goal. The goal of this program is to demonstrate alternative methods for managing solid wastes. ~~--Also, the program is~~ designed to reduce the environmental effects related to disposal of solid wastes in Iowa landfills. These goals will be achieved through specific actions, as outlined in 1987 Iowa Acts, House File 631, the groundwater protection Act, and include the following hierarchy of waste management priorities in descending order of preference:

1. Volume reduction at the source;
2. Recycling/reuse;
3. Combustion with energy recovery and reuse-derived fuels production; and
4. eCombustion for volume reduction.

ITEM 2. Amend rule 209.2 (455B, 455E) as follows:

567--209.2(455B,455E) Purpose. The purpose of this program is to provide grants and other financial assistance to ~~local governments and commercial establishments~~ eligible candidates including any unit of local government, not-for-profit organization and for-profit commercial establishments located in Iowa for the purpose of developing and implementing demonstration projects for landfill alternatives to solid waste disposal. Projects sponsored by the department of natural resources must meet one of the ~~criteria outlined in the program goal~~ for reducing materials being disposed of in sanitary landfills and will be selected through a competitive grant process.

ITEM 3. Amend rule 209.3(455B,455E) as follows:

567--209.3(455B,455E) Definitions.

"Cost-share" means the percent of applicant funds contributed to the project for those expenses or services that are directly dedicated to the project including, but not limited to, assessed worth of existing equipment, buildings, and salaries directly related to an existing project and costs of new or rented equipment and buildings and salaries and services directly related to the project.

"Department" means the Iowa department of natural resources.

~~"Eligible candidate" means any unit of local government; not-for-profit organization and for-profit commercial establishments located in Iowa.~~

"Eligible project" means any project which is capable of recycling solid wastes, reducing the amount of solid wastes sent to a sanitary landfill, or producing energy from the solid wastes.

"Energy production" is defined as the direct conversion of solid wastes into useful process heat or electricity or the production of processed fuels which can be used in place of coal, natural gas, or oil.

"Financial assistance" means monetary assistance other than grants including interest buy downs on loans.

"Grants" means financial assistance in the form of cash payments to eligible candidates for certain considerations.

"Groundwater protection Act" means 1987 Iowa Acts, chapter 225, which sets forth laws pertaining to the protection of Iowa's groundwater resources through reduced disposal of solid wastes at landfills ~~and pesticides~~ and provides grants to encourage better management of Iowa's groundwater resources.

"Indirect costs" means costs that are not identifiable with a specific product, function, or activity.

"Overhead costs" means expenses not chargeable to a particular part of the work or product including, but not limited to, utilities and insurance.

"Petroleum overcharge allocation" means 1987 Iowa Acts, chapter 230, which allocates and appropriates Iowa's petroleum overcharge refunds generated from Stripper Well, Exxon, Amoco, and other petroleum overcharge settlements.

"Sanitary landfill" means a sanitary disposal project where solid waste is buried between layers of earth.

"Waste management authority" means the waste management authority division of the department of natural resources established by 1987 Iowa Acts, chapter 180.

ITEM 4. Amend rule 209.4(455B, 455E) as follows:

567--209.4(455B,455E) Role of the department of natural resources. The department of natural resources is responsible for the administration of funds for projects sponsored under these rules. The department will assure that funds disbursed will meet guidelines established by the groundwater Protection ~~Act; the allocation of petroleum overcharge funds; and the~~ waste management authority Act.

Any eligible project may be submitted by any eligible candidate for grant consideration under this chapter. The director will determine which projects will receive funding after review by the waste management authority division; ~~the energy and geological resources division;~~ and the environmental protection division of the department.

ITEM 5. Rescind rule 209.8(455B,455E). Renumber rule 209.6(455B,455E) as 209.8(455B.455E) and amend as follows:

567--209.68(455B,455E) Eligible projects. The department may provide grants to eligible candidates for the following types of projects:

1. Volume reduction at the source;
2. ~~Source-separation/reuse~~ Recycling and reuse including composting;
3. The production of energy or densified refuse-derived fuels;
4. Other projects which reduce the amount of material disposed of in landfills; and
5. Environmental testing related to ~~the-use-of-municipal-solid-waste-as-an energy-source~~ various landfill alternatives for solid waste. Such projects shall include, but not be limited to, testing air emissions generated by the combustion of municipal solid waste and an analysis of the ash generated as a result of the combustion of municipal solid waste. If projects are to be funded from the petroleum overcharge funds, projects must demonstrate either energy savings or the production of fuels which can replace imported sources of energy.

ITEM 6. Adopt new rule 209.6 (455B, 455E) as follows:

567--209.6(455B,455E) Eligible costs. Applicants can request monetary assistance in the operation of the project which includes funds for:

1. Collection, processing or hauling equipment;
2. Materials and labor for construction of buildings;
3. Engineering or consulting fees;
4. Contractual labor for installation of equipment;
5. Laboratory analysis costs;
6. Salaries directly related to the project;
7. Development and distribution of educational materials;
8. Planning and implementation of educational forums including, but not limited to, workshops.

ITEM 7. Renumber rule 209.7 (455B,455E) as 209.9 (455B, 455E) and amend as follows:

567--209.~~7~~9(455B,455E) Project award. Projects will be awarded based on the following criteria. The department will determine the relative value of each of these factors in deciding which projects will receive funding. The criteria include:

209.9(1)~~1~~. ~~The--projects--nearness--to--completion~~ Planning and management ability. Evaluation of the planning efforts and management ability of the project personnel;

209.9(2)~~2~~. Transferability of the project ~~to--other--communities--and commercial-establishments~~. The extent to which the results of this project will prove valuable to other Iowa communities or industries considering the implementation of a similar project;

209.9(3)~~3~~. Cost-share by ~~community-or-commercial-establishment~~ applicant:

~~a)~~a. An applicant for a grant shall agree to provide a minimum cost-share of local funds toward the cost of the project:

(1) Projects for volume reduction at the source -- 35%;
(2) Projects for recycling and reuse -- 50%;
(3) Projects for combustion with energy recovery -- 60%;
(4) Projects for combustion without energy recovery -- 75%;

~~b)~~b. An applicant is eligible for a maximum grant of $300,000 and shall not be eligible to receive further grant funds until the ending date of the last grant contract obtained through this program.

209.9 (4)~~4~~. Public education. The effectiveness of the proposed education program, where applicable, will be considered.

~~4.--Environmental-benefits-and-acceptability;~~

209.9 (5)~~5.~~ Percentage of municipal solid waste diverted from the landfill and how soon the project will begin affecting the waste stream;

209.9 (6)~~6.~~ Extent to which the project incorporates and reflects the hierarchy of waste management priorities of the state solid waste management policy~~;~~.

209.9 (7)~~7.~~ Consistency with local and regional solid waste planning efforts~~;~~ including a commitment to a consistent volume of solid waste for the project or a plan to obtain a consistent volume of solid waste;

If a project is not part of a comprehensive plan required under 455B.306, the department may request a letter explaining how this project will or will not potentially
impact the comprehensive planning process and, if there is an impact, the department may request a schedule for including the project in the appropriate comprehensive plan or plans.

209.9 (8) Documentation that a market analysis has been completed for recyclable goods and energy markets. When energy projects are being considered for funding, the following additional criteria will be included:

a. ~~Commitment-from-energy-market;~~

b. Recovery of noncombustibles;

Implementation of recycling/source separation projects in conjunction with the energy recovery project. Projects involving incineration shall separate from the materials to be incinerated recyclable and reusable materials, materials which will result in uncontrolled toxic or hazardous air emissions when burned, and hazardous or toxic materials which are not rendered nonhazardous or nontoxic by incineration. The removed materials shall be recycled, reused, or treated and disposed in a manner approved by the department. Methods to implement such a program shall be included.

209.9 (9). The geographic distribution of current and proposed grants, population of proposed service area, or proportion of contribution of tonnage fees.

ITEM 8. Adopt new rule 209.7 (455B, 455E) as follows:

567--209.7(455B,455E) Ineligible costs. Applicants cannot request monetary assistance for the following costs:

1. Taxes;
2. Vehicle registration;
3. Indirect or overhead expenses;
4. Legal costs;
5. Contingency funds;
6. Land acquisition.

ITEM 9. Adopt new rule 209.10 (455B,455E) as follows:

567--209.10(455B,455E) Application forms. An applicant shall submit a completed application form provided by the department. The application forms will include, but not be limited to, the following information:

1. Name of applicant;
2. Address of applicant;
3. Phone number of contact person;
4. Documentation of resources including:

a) Identifiable monetary resources;
b) Land, buildings, or equipment;
c) Insurance coverage;
d) Support services;

e) Personnel;

5. Information satisfying the provisions of rules 209.6(455B,455E) through 209.9(455B,455E) of this rule.

6. Documentation of commitment of a consistent volume of solid waste for the project.

7. Documentation of consistency with local and regional solid waste planning efforts.

Applications will be due the first Monday in June and the first Monday in December of every year unless otherwise designated by the waste management authority division. Application materials received after the deadline will be kept on file and considered in the following grant round.

ITEM 10. Adopt new rule 209.11 (455B,455E) as follows:

567--209.11(455B,455E) Grant denial. An applicant may be denied funding for any of the following reasons:

1. An applicant does not meet eligibility requirements pursuant to the provisions of rules 209.6(455B,455E) through 209.10(455B,455E).

2. An applicant does not provide sufficient information requested in the application forms pursuant to rules 209.6(455B,455E) to 209.10(455B,455E).

3. The project goals or scope is not consistent with rules 209.1(455B,455E) to 209.2(455B,455E), 209.6(455B,455E) to 209.8(455B,455E).

Dated this _____ day of May, 1990.

_____

Larry J. Wilson, Director

Ms. Hay explained changes in the rule.

Chairperson Mohr noted that on page 2, Item 2, there is reference to "eligible candidates" and in other areas the same reference is listed as "applicants," and she requested that the word "applicant" be consistently used throughout the rule. Other minor editorial changes were requested and Ms. Hay indicated that corrections will be made.

Motion was made by Nancylee Siebenmann to approve Final Rule--- Chapter 209, Grants for Solid Waste Demonstration Projects with the requested editorial changes and also with the consistent use of the term "applicant." Seconded by Clark Yeager. Motion carried unanimously.

SELECTION PROCESS FOR SECTION 319 PROJECTS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

At the July meeting of the Environmental Protection Commission, questions were raised as to the selection process followed for Section 319 funding.

The selection process was governed both by the criteria established by EPA for Section 319 grants, and by the program direction established in the State Nonpoint Management Program.

All of the projects that receive Section 319 funding are consistent with Chapter 3 of the Management Program, which was approved by the EPC in December 1989 meeting.

A copy of the Management Program was provided previously to EPC members, and an additional copy of the Program is attached.

A memo describing the process used to select Section 319 funds will be distributed at the meeting.

(Memo and Project Synopsis are shown on the following 13 pages)

STATE OF IOWA
TERRY E. BRANSTAD, GOVERNOR
DEPARTMENT OF NATURAL RESOURCES
LARRY J. WILSON, DIRECTOR

DATE: August 17, 1990

TO: Environmental Protection Commission

FROM: Allan Stokes

re: Project Selection, Iowa's FY90 Section 319(h) nonpoint pollution implementation program

BACKGROUND: Earlier this year, DNR applied for and was granted approximately $850,000 in EPA Section 319(h) funds to carry out a number of nonpoint pollution control projects. At its July meeting, the EPC approved contracts with the Division of Soil Conservation, DALS, to conduct two of these projects. Contracts for three additional projects are being presented for approval in August.

At the July EPC meeting, questions were raised regarding the process used in determining which projects would be included in the state's Section 319 grant application. This report attempts to answer these questions, and includes information on the major factors impacting the department's actions and on the actual processes followed in developing the state's grant application.

MAJOR FACTORS INFLUENCING PROJECT SELECTION: Three factors played a major role in determining both the process used by DNR in developing the grant application and the projects which were selected for inclusion in the application. These were:

a. Grant Development Schedule: Although Congress appropriated $40 million for Section 319(h) nonpoint implementation projects in the fall of 1989, EPA guidance governing development of state grant applications did not become available until mid-December. The initial guidance, which only established interim state funding allotments, was published by EPA on December 1. EPA's major guidance document "Award and Management of FY 1990 Section 319 Grants" was first published December 15. This document addressed many of the major issues which states needed to take into account in developing their Section 319 applications, such as required content of grant applications, application deadlines, and grant evaluation criteria.

   EPA guidance required that states submit draft grant applications by January 16, 1990, and required that a state's application identify the specific projects and activities that would be conducted if the state were to receive 50%, 100%, or 150% of the

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state's funding allotment (in essence, required development of three distinct applications).

From a grant development perspective, the timetable established by EPA was extremely short, particularly since this was the first time that Section 319 funds were appropriated and thus no prior rules or guidance governing the development of grant applications were available.

As a consequence of having to develop its draft grant application in less than a month, DNR had to severely limit the opportunities for input from other agencies and organizations. Even so, a number of agencies were given an opportunity to submit project proposals for DNR's consideration, and several of these proposals are now receiving Section 319 funding.

b. EPA Criteria for Section 319 Grants: Through its guidance, EPA established a number of criteria which had to be taken into account in developing the state's grant application. Compliance with certain of the criteria were mandated by the federal Clean Water Act or by EPA, and failure to comply with these criteria would make a state ineligible to receive Section 319 funding. For the remaining criteria, EPA's guidance indicated that grant applications meeting the criteria would receive higher priority and, as a consequence, more funds.

Criteria which states were required to meet to receive Section 319(h) grants included:

* the state's nonpoint assessment report and management program must have received EPA approval;
* activities included in the state's application had to be consistent with the state's nonpoint management program;
* the application had to include at least some groundwater protection activities (Iowa was required to devote at least $91,600 to groundwater protection activities);
* state match funding had to be provided (on a 60% federal, 40% state basis);
* the state's application had to be balanced between statewide and project activities; and
* the state's application had to include activities that resulted in institutionalizing its nonpoint control program (25% to 50% of Section 319 funds should be used to hire staff and establish nonpoint programs).

In addition to the above criteria, EPA guidance funding priority would be given to grant applications proposing the following:

* control of particularly difficult or serious nonpoint problems;
* innovative control methods or practices;
* control of interstate nonpoint pollution problems;
* groundwater protection activities conducted as part of a comprehensive groundwater protection strategy;
* control of nationally significant, high risk problems;
* integration of federal, state, and local programs;
* evaluation of program and project effectiveness;

* pollution prevention activities, i.e., control problems at the source;
* comprehensive watershed management;
* implementation of antidegradation provisions, to assure that future development does not degrade water quality; and
* thorough evaluation of program or project effectiveness, including rigorous water quality monitoring.

c. State Nonpoint Source Management Program: As indicated above, a state could only receive Section 319 funds if the activities proposed in the state's grant application were consistent with those identified in that state's Nonpoint Source Management Program. To ensure consistency, EPA guidance required that a state's grant application identify the specific management program objectives being addressed by its proposed Section 319 activities.

Iowa's management program is outlined in the report State Nonpoint Source Management Report - Iowa, DNR, December 1989. This report contains three chapters, with Chapter 1 providing a brief introduction, Chapter 2 providing a review of the state's current nonpoint pollution control activities, and Chapter 3 presenting the details of Iowa's Nonpoint Source Management Program.

Since agriculture was identified in the state's 1988 Nonpoint Pollution Assessment Report as having the greatest impact on Iowa's waters, the state's management program is focused on addressing the nonpoint pollution problems associated with agriculture. In doing so, the program emphasizes use of non-regulatory approaches, such as public information programs, establishment of demonstration projects, technical assistance, and cost share or other financial incentive programs.

Chapter 3 of Iowa's management report identifies the specific nonpoint pollution control activities Iowa intends to conduct as part of its nonpoint management program. These activities are subdivided into three major categories, and include:

* Statewide Implementation: coordination of program and project activities of federal, state, and local agencies; development and implementation of a comprehensive statewide public information and education program on nonpoint pollution; review of federal programs and projects for consistency with state's nonpoint control programs; and, program administration;
* Complete Ongoing Control Projects: complete implementation of ongoing nonpoint control projects, including accelerating project implementation and/or obtaining additional project funding as appropriate; and,
* Establish Additional Nonpoint Control Projects: develop, obtain funding for, and initiate implementation of additional nonpoint pollution control projects. Project purposes may include:
  - control nonpoint pollution of priority streams, lakes, or wetlands;
  - reduce movement of pollutants to groundwaters;
  - evaluate effectiveness of individual best management practices (BMPs) or BMP combinations;

- assess feasibility and effectiveness of alternative control methods or programs; or
- establish demonstration projects to inform and educate landowners and the general public about nonpoint pollution control programs and practices.

Under each of these three major categories, the management report identified the work activities to be conducted and, where practical, a proposed schedule for carrying out these activities.

PROJECT SELECTION PROCESS: Once EPA's Section 319 guidance became available, DNR developed an overall strategy and schedule for developing Iowa's grant application. This strategy included several components.

As part of this strategy, workplans were first developed for those activities which DNR proposed be included in the grant application as core elements of the statewide nonpoint implementation activities. Two major workplans were developed through these efforts, one providing for greatly expanded public information and education activities by DNR and a second providing for the establishment of a statewide network of on-farm demonstrations of animal waste management systems. In developing these workplans, DNR first identified base level activities which it proposed to conduct if the state received only 50% of its allotment of Section 319 funds, and then identified the additional activities that would be conducted if the state was awarded either 100% or 150% of the its allotment.

A second component of the strategy involved reviewing and ranking other potential nonpoint implementation projects, and finally selecting those projects to be included in the state's Section 319 grant application. As part of this effort, other DNR divisions, Iowa's major state universities, and other state and federal agencies were notified of the availability of Section 319 funding and were invited to submit project proposals for funding consideration. This notification resulted in a total of 21 proposals being submitted, as follows:

Agency	Number of Proposals
Cooperative Extension Service, ISU	14
ISU Leopold Center	1
University of Iowa	1
EGRD, DNR	5

In addition to these proposals, DNR also considered a number of nonpoint related projects which had previously been submitted for funding from other sources. Included in this category were 38 projects submitted to the Division of Soil Conservation (DSC), DALS, in October 1989 for Water Protection Project funding, 75 projects submitted to the ISU Leopold Center for funding under its FY91 Competitive Grants Program, and 4 projects submitted in the fall of 1989 to USDA under SCS's Resources Conservation Act program and ASCS's ACP Water Quality Special Project program.

In addition to considering the requirements and criteria given in EPA guidance, factors considered in DNR's review of proposed projects included:

* the project's technical and economic feasibility;
* consistency with the state nonpoint management program;
* value of water body impacted and potential water quality benefits;
* project's value in evaluating/demonstrating effectiveness of BMPs or alternative control programs; and
* potential for funding from other sources, either alone or in combination with Section 319 funds.

In reviewing those projects which were originally submitted for funding under other programs, DNR generally considered the project review/ranking results of the agency(s) administering the program funds, rather than completing independent reviews of each project.

As a result of these reviews, the number of projects remaining under consideration was sharply reduced. From the projects that remained, DNR then selected those which, when combined with the core level statewide public information/education and animal waste activities identified previously, would provide complete grant application packages at 50%, 100%, and 150% of the state's Section 319 allotment. Appendix B contains a copy of the project work plan included in the grant application submitted to EPA.

In developing these grant application packages, DNR attempted to select projects which would:

* maintain a balance between statewide and project activities;
* complement, but not duplicate, ongoing pollution control activities of DNR or other agencies;
* evaluate and/or demonstrate the effectiveness of alternative control programs or practices;
* address nonpoint problems not adequately being dealt with at the current time; and
* provide for involvement of a variety of federal, state, and local agencies in the state's nonpoint control programs.

As a result of negotiations with EPA following submission of the state's grant applications, DNR has received Section 319 funding to carry out 11 nonpoint control activities. These activities are described in Appendix A of this report.

Appendix A. FEDERAL FISCAL YEAR 1990 SECTION 319 PROJECT SYNOPSIS

PROJECT	PROJECT OBJECTIVES	PROJECT DESCRIPTION	LINK TO SNPSMP	LEAD AGENCIES; (OTHER COOPERATING AGENCIES)
1. NPS Public Information/ Education Activities (27 months)	Develop and implement statewide public information/education program	- Add Public Information Specialist position - Develop statewide NPS pollution PI/E strategy - Update NPS pollution problems slide/tape - Develop PI/E materials as outlined in NPS pollution PI/E strategy - Develop Clean Lakes video - Develop, print and distribute NPS control resource reference handbook - Develop computer simulation relating farm management practices to water quality	Objectives given in Work Element # 1	DNR; (EPA, DALS, SCS, ISU Ext., ISU Leopold Center, conservation and environmental organizations, and farm commodity groups)
2. Animal Waste Management (27 months)	Establish a network of animal waste demonstration farms throughout the state. Develop animal waste PI/E materials and program to complement demonstration farm program.	- Add Environmental Specialist position - Enter into agreements with other agencies & organizations - Establish network of 10 to 15 demonstration farms - Monitor water quality at selected sites - Develop public information bulletin describing control alternatives for open feedlots - Develop brochure describing demonstration farm network project and and individual farm waste control systems - Conduct demonstration tours	Part of the statewide PI/E program. Addresses general objectives for PI/E programs stated under Work Element #1	DNR; (EPA, DALS, SCS, ASCS, ISU Ext., ISU Leopold Center, and major livestock producers organizations)

PROJECT	PROJECT OBJECTIVES	PROJECT DESCRIPTION	LINK TO SNPSMP	LEAD AGENCIES; (OTHER COOPERATING AGENCIES)
3. Evaluation and Demonstration of Tree Buffer Strips in the Riparian Zone of Central Iowa Streams as a NPS BMP (3 1/4 years - Bear Creek, Story County)	Evaluate and demonstrate the effectiveness and economics of riparian zone tree plantings to intercept soil and ag-chemicals. Demonstrate the effectiveness of such plantings to: - stabilize small streams - improve in-stream environments - provide wildlife habitat Evaluate the economics of using tree strips in intercropping systems using food crops and herbaceous energy crops.	- Collect baseline soil, geohydrologic and stream condition data. - Install monitoring equipment. - Plant woody and herbaceous species. - Conduct in-stream survey. - Harvest herbaceous energy crops. - Collect tree growth and biomass data - Continue monitoring program - Summarize results - Develop brochure with project objectives, techniques, findings, and sucesses.	Work Element #3 objectives: - Evaluate BMPs - Determine feasibility of alternative approaches to control - Serve as demonstration project	ISU Ext. and ISU Ag-Experiment Station; (ISU Depts.: Forestry, Agronomy, Earth Sciences, Animal Ecology; ISU Leopold Center, DNR, EPA)
5. Development of Protected Corridor Along Iowa Coldwater Streams (2 1/2 years - Northeast Iowa)	Establish protected corridors along stream segments where livestock access or animal wastes are causing negative impacts, while maintaining the economic viability of the livestock operations. Implement practices to enhance stream's capability to support trout. Monitor stream habitat quality to enable documentation of improvements. Promote adoption of stream-protection approach using developed public informational materials and project site demonstrations.	Identify areas with livestock impacts. Solicit owner cooperation. Develop individual farm plans and complete agreements with farmers. Practices may include: - alternative water sources - stream-crossing construction - pasture improvement - soil erosion control practices - streambank erosion control - streambed reshaping - corridor revegetation - tree planting - installation of "lunker" structures or other practices for support of trout Conduct monitoring and document project results. Develop informational materials. Use protected corridor for demonstration of improved practices and developed informational materials to encourage adoption of these practices.	Work Element #3 objectives: - Control NPS pollution priority streams - Evaluate BMPs - Assess feasibility of alternative approaches to control - Establish demonstration projects to demonstrate use and efectiveness of BMPs	DNR will contract with county SWCDs; DNR Fish & wildlife Div.; SCS; (DALS, ASCS)

PROJECT	PROJECT OBJECTIVES	PROJECT DESCRIPTION	LINK TO SNPSMP	LEAD AGENCIES (OTHER COOPERATING AGENCIES)
6. Evaluation of Burial and Composting as BMPs for Disposing of Dead Livestock (2 1/2 years)	Monitor groundwater at two on-farm burial sites to determine if proposed DNR rules are adequate to protect groundwater. Establish two on-farm composting facilities to determine if composting of poultry and other species is an environmentally and economically sound means for dead animal disposal in Iowa. Conduct educational activities provide producers with regulatory, environmental, procedural, and economic information concerning dead livestock disposal.	Establish sites for burial studies and initiate monitoring. Construct composters and initiate study with poultry. Expand composting studies to include other species if results with poultry indicate probable success. Develop and distribute "dead animal disposal" bulletin. Conduct tours in cooperation with livestock producer organizations. Complete monitoring. Use results to guide burial rules modification if modification need indicated. Develop pragmatic recommendations for dead livestock disposal including rendering service options.	Work Element 3 objective: - Evaluate BMPs - Establish demonstration projects to demonstrate use and effectiveness of BMPs	ISU Ext.; (EPA, DNR, DALS, SCS, ISU Leopold Center, and livestock producer organizations)
7. Priority Watershed Landcover Evaluation (2 years)	Develop spatial maps showing landuse distribution for priority lake watersheds as part of a statewide landcover mapping project. Utilize maps for NPS evaluations, identification of critical areas for project targeting, and for planning of controls.	The EGR Division of DNR will purchase thermatic mapper satellite imagery for Iowa and use it to develop statewide landuse distribution maps. Priority will be given to developing landuse distribution maps for the watersheds of lakes included in the Lake Water Quality Assessment study. As an initial step in project implementation, these maps will be used in evaluation of NPS pollution, targeting areas and sources for control measures and development of implementation plans for the lakes.	Work Element #3 objectives: - Control nonpoint pollution of priority lakes, streams, or wetlands - Reduce movement of nonpoint pollutants to groundwaters - Assess feasibility of alternative approaches to accomplishing nonpoint control	EGRD, DNR: map develoment. EPD, DNR; DSC, DALS: map use for assessment and planning.

PROJECT	PROJECT OBJECTIVES	PROJECT DESCRIPTION	LINK TO SNPSMP	LEAD AGENCIES (OTHER COOPERATING AGENCIES)
8. Staff Position - Iowa Great Lakes Protection Project	Establish and fill position within the Dickinson County SWCD to coordinate the wetlands and the nutrient and pesticide management components of the Iowa Great Lakes Protection Strategy.	The individual hired for this position will: - Identify potential areas for acquisition and/or development as wetlands - Negotiate agreements for wetland acquisition or development - Work with cooperating agencies to coordinate research, monitoring, wetland acquisition, wetland restoration, and related lake protection efforts. - Assist in cooperative planning and education efforts - Educate public on the value of wetlands and the water quality benefits they provide - Develop and implement comprehensive nutrient and pesticide management programs for agricultural and non-agricultural lands	Work Element #3 objectives: - Control Nonpoint pollution of priority lakes, streams, or wetlands - Evaluate BMPs - Assess feasibility of alternative approaches to accomplishing nonpoint control - Establish demonstration projects to demonstrate use and effectiveness of BMPs	Protection strategy: Dickinson County SWCD & Iowa Natural Heritage Foundation. (Funding or technical assistance: DNR, DALS, SCS, ISU Ext., ASCS, U.S. FWS). Water quality monitoring: DNR will administer use of EPA Section 314 and Section 205j funding.

PROJECT	PROJECT OBJECTIVES	PROJECT DESCRIPTION	LINK TO SNPSMP	LEAD AGENCIES (OTHER COOPERATING AGENCIES)
9. Kossuth County Integrated Crop Management (ICM) Demonstration Project [Project is a part of the Model Farms Demonstration Projects program]. (3 years - southern Kossuth County)	Demonstrate the viability of cooperative crop advisory services that emphasize total farm crop management planning. Demonstrate that the various services (e.g. soil testing, pest scouting) can provide infomation needed to make improved management decisions that reduce fertilizer and pesticide use resulting in reduced input costs and environmental impacts.	- 40 to 50 demonstration farms - Education/demonstration tailored to the region's needs. - Program elements: nutrient management, enterprize record keeping, integrated pest management, herbicide banding with limited tillage for weed control, & improved conservation tillage. Other components: educational meetings, field days, aggressive publicity, promotion of local water quality protection projects, REAP forestry and native grass projects, & wetlands restoration projects. - "Before" and "after" surveys of attitudes & practice adoption. - Field training of crop consultants and fertilizer and chemical dealers - Costs of ICM services to be phased in over the 3 year duration of the project such that by the 4th year the project will be self-sufficient and turned over to private enterprize.	Work Element #3 objectives: - Control nonpoint pollution of priority surface waters - Reduce movement of nonpoint pollutants to groundwaters - Evaluate BMPs - Assess feasibility of alternative approaches to nonpoint control - Establish demonstration projects to demonstrate use and effectiveness of BMPs	Model Farms Demonstration Program: DSC (IDALS) administration. Local programs: Contract with ISU Ext. for implementation. (DNR, EPA)

Appendix A (Continued). FEDERAL FISCAL YEAR 1990 SECTION 319 PROJECT SYNOPSIS

PROJECT	PROJECT OBJECTIVES	PROJECT DESCRIPTION	LINK TO SNPSMP	LEAD AGENCIES (OTHER COOPERATING AGENCIES)
10. Poplar Tree Buffer Strips Grown in Riparian Zones for NPS Pollution Control & Biomass Production (2 years - Amana Society Farm, site of 1990 Farm Progress Show)	Demonstrate utility of a poplar buffer strip to protect shallow groundwaters and adjacent stream water from nitrate contamination. Use study results in conjunction with other Iowa tree strip/stream study findings to demonstrate the effectiveness of tree strips for: interception of soil & other contaminants, stream bank stabilization, provision of wildlife habitat, & improvement of in-stream environments. Demonstrate elements of this buffer strip concept at the 1990 Farm Progress Show.	Install 300 ft. buffer strip along stream where adjacent to row-cropped land. Determine buffer strip effects on nitrate concentrations by analysis of piezometer and lysimeter samples. Subject results to a statistically meaningful test of the hypothesis that these buffer strips can be used as BMPs to remove nitrate from run-off and shallow groundwater. Use the established demonstration watershed and developed educational materials for instruction about how to establish poplar buffer strips and what the strips do to protect water quality of streams and adjoining shallow groundwater.	Work Element #3 objectives: - Evaluate BMPs - Assess feasibility of alternative approaches to nonpoint control - Establish demonstration projects to demonstrate use and effectiveness of BMPs	Univ. of Iowa; (DNR, EPA, ISU Leopold Center)

PROJECT	PROJECT OBJECTIVES	PROJECT DESCRIPTION	LINK TO SNPSMP	LEAD AGENCIES (OTHER COOPERATING AGENCIES)
11. Floyd County Groundwater Protection Project (5 years)	Conduct a comprehensive five year project to protect and improve groundwater quality in Floyd County Establish and fill Environmental Specialist position within the Floyd County SWCD to coordinate groundwater protection activities	Identify and target sources of groundwater contamination (e.g. sinkholes, ag-drainage wells) for control actions. Develop groundwater protection farm management plans for individual farms. Control existing contamination sources by providing financial assistance for implementation of appropriate control practices. Monitor water wells in the project area and use results to evaluate project success. Use in-place practices to demonstrate structural and production BMPs. Use completed or nearly completed project to demonstrate the potential of a coordinated strategy executed with the cooperation of the local community to accomplish groundwater protection.	Work Element #3 objectives: - Reduce movement of nonpoint pollutants to groundwater - Evaluate BMPs - Assess feasibility of - alternative approaches to nonpoint control - Establish demonstra- - tion projects to demonstrate use and effectiveness of BMPs	Floyd County SWCD; (ISU Ext., DNR, EPA, DALS, ASCS, SCS, Floyd County Conservation Board, Floyd County Water Quality Committee, Floyd County Board of Supervisors)

PROJECT	PROJECT OBJECTIVES	PROJECT DESCRIPTION	LINK TO SNPSMP	LEAD AGENCIES (OTHER COOPERATING AGENCIES)
12. West Lake Water Quality Protection Project (5 years - Osceola, Iowa)	Preserve, protect, and improve the West Lake reservoir for use as a municipal, industrial, and rural water supply, and as a fish, wildlife, and recreational resource. Achieve a level of practice adoption that will result in significant water quality protection within the five-year project period. Demonstrate the technical and economic feasibility and the effectiveness of the resource management practices being used in this project.	Project emphasis on adoption of no-till or reduced tillage systems in first two years. Project emphasis will shift in years three through five to use of structural practices to supplement the control achieved by use of conservation tillage and chemical management. A Soil Conservation Technician to be employed by the Clarke County to conduct project activities. Selected producers will be offered participation contracts with financial incentives to aid in the adoption of conservation tillage, fertilizer management, and IPM practices and to install structural controls where needed. ISU Ext. will conduct educational sessions dealing with the use of appropriate fertilizer and IPM practices for producers. In-place resource management systems will be used to demonstrate the improved practices, i.e., why they are being used, what they accomplish, and how to implement them. Water quality monitoring will be conducted to detect changes and trends. Project evaluation by producers, water users, and project sponsors will be conducted yearly for the five year project period.	Work Element #3 objectives: - Control nonpoint pol- of priority lakes - Evaluate BMPs - Assess feasibility of alternative approaches to nonpoint control - Establish demonstration projects to demonstrate use and effectiveness of BMPs	Clarke County SWCD; (IDALS, West Lake Watershed Committee, ISU Ext., City of Osceola, SCS)

Mr. Stokes distributed copies of a memorandum to the Commission summarizing the two accompanying appendices. He gave details covering background for project selection and major factors influencing project selection. Mr. Stokes explained the grant development schedule, EPA criteria for Section 319 Grants, the state nonpoint source management program, and the project selection process.

Discussion followed.

Rozanne King requested that the Commission be provided a quarterly update on the status of completion goals for these projects.

This was an informational item; no action was required.

SECTION 319 NONPOINT CONTROL PROJECT CONTRACTS

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

Commission approval is requested for 2 contracts with Iowa State University and one with the University of Iowa to carry out nonpoint pollution control projects. These projects are:

IOWA STATE UNIVERSITY:

A project to evaluate and demonstrate the effectiveness of using trees in riparian zones to intercept soil and agricultural chemicals, stabilize small streams, improve in-stream environments and provide wildlife habitat. Project activities will include: tree and grass plantings; collecting soil, geohydrology, and stream condition information; water quality monitoring; and, a public information program.

The contract will support the first year activities of a three year project. The contract amount is $30,293.

The second project with Iowa State University is to evaluate and demonstrate the environmental suitability for disposing of dead livestock by burial or composting. Activities include: establishing burial and composting sites; groundwater quality monitoring; evaluating practice effectiveness; and, a public information program.

The contract will support a two year project. The contract amount is $60,000.

UNIVERSITY OF IOWA:

A two-year project to demonstrate the ability of tree buffer strips to protect shallow groundwaters and adjacent surface waters. Activities include: tree planting at the Farm Progress Show site at the Amana's; monitoring of soil, water, and plant materials; public information programs; program evaluation; and, economic assessment of the project.

The contract will provide $35,250 to support the first year project activities.

Mr. Kuhn gave a brief explanation of each of the three contracts.

A copy of the draft contract for each of the three projects is on file in the Records Section of DNR.

Motion was made by Clark Yeager to approve, as presented, two Section 319 Nonpoint Control Project Contracts with Iowa State University and one with University of Iowa. Seconded by Mike Earley. Motion carried unanimously.

BUDGET REQUEST--FY 92-93 DECISION PACKAGES

Stan Kuhn, Division Administrator, Administrative Services Division, presented the following item.

The following items are appended, and the recommended Commission action is indicated for each.

1. Decision Package priority listing for each division, Pages 1-26. In the State's budgeting process a "base," defined as 75% of the current state appropriation, is prepared for each DNR division's operating budget. "Decision Packages" are arrayed in priority from the highest to the lowest as additions to the "base." The total of the base and all of the decision packages constitute the division's budget request in priority order.

Included for each division are the following items:

A. The "base" narrative. This describes the activities would be continued and the activities that would be discontinued at 75% of the current funding level.

B. The division's decision packages arrayed in priority order. This schedule reflects the division priority, the department priority, a brief description, related FTE, and related funding source. The funding and FTE estimates are subject to further revision within the priorities indicated.

Each package that starts with the word "Restore" relates to a program element currently active and funded. Those not starting with the word "Restore" are new and additional requests.

C. A financial schedule for each division is also attached. The base and the "restore" decision packages approximate the revenue and expenditure levels indicated for FY91. Generally, for the current level of operations, the FY91 funding level will be continued into FY92 and FY93 with only small adjustments.

All new and additional decision packages will result in a level of expenditures significantly above, or in addition to, the level indicated for FY91. Financial detail for FY92 and FY93 will be available in several weeks.

D. Also included are decision packages related to special programs not directly part of the operations budget. This includes new and additional requests to supplement Groundwater funding for the cost-share program to plug abandoned wells and for additional toxic waste clean-up days. Packages to continue the Green Thumb program and the cooperative program with the USGS are also included.

Major program expansions are requested within the Environmental Protection division, the Forests and Forestry division and the Waste Management Authority division. The request continues approximately the current level in the remaining divisions.

Within the Administrative Services division, technical services for Land Acquisition and Construction Services had been funded with mostly General Fund and Fish and Wildlife revenues. On the other hand, most of the capital expenditures are from REAP and MFT, with a lesser amount from the Fish and Wildlife Trust fund. The budget request shifts funding for technical services to the related capital funds. This shift will reduce dependence on the General Fund and the Fish and Wildlife fund about $750,000 and increase the expenditures for design, construction, and acquisition from REAP and MFT by the same amount.

There is no base narrative or decision packages for the Director's Office.

For the Environmental Protection Division, the complete narrative for each decision package that expands the program is also attached. These are coded 18-A through 18-H. The complete narrative for the expansion within the WMAD is also added to page 24.

The staff recommends that the Commission approve the decision package priority listing for divisions under their jurisdiction, and including the support divisions, Administrative Services, Coordination and Information, and the Director's Office.

2. Pages 27 through 31 reflect the decision packages arrayed in proposed priority order for the Department.

Department priorities #1 - #34 are all restoration decision packages. Priority #35 and beyond represent new or expanded program requests. The recommendation involves expanded state support for Air Quality and Water Quality concerns. Significant program expansion is also requested in the Forests and Forestry division. The budget request for the remaining divisions essentially continues the current level of operations.

Both commissions are requested to concur in the department-wide priority listing.

3. A copy of the 5 year capital plan for FY92 and FY93, Pages 32-34 is included. This has previously been approved by the NRC. There is legislative intent to fund REAP at the $30.0 million level for FY92 and FY93. The 5 year plan estimates for the REAP Open Spaces Account assumes 28% of $30.0 million, $8.4 million.

However, the 5 year plan estimated a need of $4.0 million in the Land Management Account for FY92 and $4,442,000 for FY93. At the $30.0 million REAP level, only 9% or $2,700,000 will be available each year in the Land Management Account.

On the attached copies, the projects "starred" on the right hand side in FY92 would have to be delayed to FY93, and the projects "starred" in FY93 would be delayed to FY94 and beyond.

The alternative is to request additional funding. Due to the financial condition of the State and the action by the REAP Congress to not adjust the current funding distribution, the staff is not recommending a request for more support in this area. No budget action by the EPC is needed in this area.

4. Fish and Wildlife Trust fund. At current revenue and program levels, the operating balance is the fund is reduced to about $500,000 for most of FY92, and a deficit would occur toward the end of FY92. This can and will be mitigated to a degree with "belt-tightening" measures.

However, it does not appear reasonably possible to cover this projected deficit with a license fee increase that could occur January 1, 1992, assuming approval by the next G.A.

Current Fish and Wildlife programs will be continued, with short-term deferrals and austerity measures. Current staffing and support levels are assumed in the FY92 and FY93 request with exceptions as elsewhere noted. The NRC is already on record as supporting a License Fee increase.

However, the Fee increase approved by the NRC last year would not be sufficient to cover the deficit and provide for program continuity, even in the short run.

The staff recommends that Fish and Wildlife programs be funded with a combination of a reasonable fee increase and supplemental revenue as necessary.

Various graphs and supporting information regarding this issue will be presented at the meeting. This issue will also be covered in detail as part of the Legislative issue item.

No action by the EPC is necessary regarding the Fish and Wildlife Trust fund issue. However, the need for supplemental revenue to fund these programs will, almost certainly, impact the availability of funding for remaining DNR programs.

Approval of these items will constitute the overall priority and issue decisions regarding the FY92 and FY93 request. These items are being presented to the NRC for their approval, as appropriate, at their August 10th meeting.

At the following meeting, a final approval will be requested and complete financial supporting detail will be available. However, at that point (September) it is not possible to make any major budget funding or priority decisions. Any policy, major funding level, or priority issues have to be settled at this point.

(Budget is shown on the following 42 pages)

	A	B	C	D	E	F	G	H	I
1	**********								
2	DIRECTORS OFFICE								
3	BUDGET SUMMARY	ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET		INCREASE	
4	JULY 1990	1987	1988	1989	1990	1991		90 TO 91	
5	**********								
6									
7	RESOURCES								
8									
9	GENERAL FUND	70615	63913	90683	105057	115119		10062	
10	FEDERAL FUNDS	47721	57755	50732	44983	54127		9144	
11	GW BIG SPRINGS G01	0	1118	977	821	1151		330	
12	GW DNR GENERAL G02	0	336	3763	4220	4365		145	
13	GW LAND FILL ALT OOC G03	0	311	0	0	0		0	
14	GW SOLID WASTE G04	0	292	0	0	0		0	
15	STORAGE TANK ADM G12	0	18	4588	2042	482		-1560	
16	HOUSE HOLD HAZ WSTE ADM G17	0	66	700	1102	401		-701	
17	WELL GRANTS PGM ADM G23	0	0	303	359	452		93	
18	SOLID WASTE/LANDFILL ALT.	0	0	1075	2050	532		-1518	
19	SOLID WASTE ADM G29	0	2149	2571	2970	9469		6499	
20	WASTE MGT AUTH ADM G30	0	1063	1607	1598	0		-1598	
21	OIL OVERCHARGE	1376	4050	4234	3257	1139		-2118	
22	LEASE PURCHASE (SIFIC A&B)	0	1676	1763	2260	2209		-51	
23	UTILITY REFUND	1054	1024	1922	3266	6404		3138	
24	OTHER FUNDS	0	0	0	1449	2408		959	
25	PARK USER FEE	1068	1015	1699	0	0		0	
26	LAND MGMT TRUST FUND	0	0	0	1364	2860		1496	
27	TRANSFER F&W	99585	102534	99330	121624	142755		21131	
28	----------								
29	TOTAL REVENUES	221418	237321	265946	298421	343873		45452	
30	----------								
31									
32	EXPENDITURES								
33									
34	#FTE NO VACANCY FACTOR	6.15	5.95	5.95	5.95	5.95		.00	
35	#FTE CEILING	N/A	N/A	N/A	5.95	5.95		.00	
36	#FTE ACTUAL/W VACANCY FACTOR	6.15	5.95	5.95	5.95	5.95			
37									
38	PERSONNEL	171680	189256	197403	223101	269373		46272	
39	PERSONAL TRAVEL	34218	31781	32371	40000	40000		0	
40	OFFICE SUPPLIES	4046	1181	473	1200	2000		800	
41	EQUIP MAINT SUPPLIES	772	1089	970	1200	750		-450	
42	OTHER SUPPLIES	6	967	143	120	1200		1080	
43	PRINTING	4753	5520	18847	14000	14000		0	
44	UNIFORMS	0	186	0	0	0		0	
45	COMMUNICATIONS	73	270	104	0	0		0	
46	RENTALS	77	595	0	0	0		0	
47	PROF/SCIEN SERVICES	500	0	0	6000	6000		0	
48	OUTSIDE SERVICES	351	393	1154	3200	2000		-1200	
49	ADVERTISING	340	513	0	0	0		0	
50	DATA PROCESSING	4494	3830	3588	4800	4800		0	
51	STATE REIMBURSEMENT	108	1740	1660	0	750		750	
52	EQUIPMENT	0	0	9233	4800	3000		-1800	
53	----------								
54	TOTAL EXPENDITURES	221418	237321	265946	298421	343873		45452	
55	**********								

44

91001542G72 2000
COORDINATION AND INFORMATION

BASE BUDGET DESCRIPTION:

The Coordination and Information Division provides legal counsel, planning, public information, and general coordination services for the Department, Commissions, and general public on all programs administered by the Department.

At the base level, the following current activities would be terminated:

1. Production and distribution of radio and television public service announcements, programs, and commercials that are very instrumental in disseminating the Department's natural resource management to the public.

2. Field information and education activities that allow the Department to work more closely with local media, interest groups, and educators on topics of local interest.

3. Environmental Mediation Program initiated in FY 91.

The following activities would be reduced:

1. Legal Services - The time to process violations of environmental statutes would increase and greater reliance would be placed on the Attorney General for legal counsel.

2. Planning activities involving the maintenance of eligibility of programs for federal funding and that allow the Department to anticipate needs and demand trends for natural resource management and outdoor recreation would be significantly reduced.

3. Graphic services for technical and educational publications would be significantly curtailed.

2

COORDINATION AND INFORMATION DIVISION

BUDGET WORKSHEET

DEPT PRIOR	DIV	DIV PRIOR	DESCRIPTION	TOTAL	#FTE	GEN FUND	FISH & GAME	OTHER
7	2000	1	RESTORE LEGAL SUPPORT TO FY 91 LEVEL OF EFFORT.	50463	1.00	30278	20185	
29	2000	2	RESTORE PLANNING STAFF TO MAINTAIN THE STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN AND PROVIDE IMPACT ANALYSIS OF DNR POLICIES.	99846	2.00	59908	39938	
30	2000	3	RESTORE PERSONNEL FOR NEWS LETTER/RADIO/TV SPOT PRODUCTION.	129922	3.00	77953	51969	
31	2000	4	RESTORE FIELD INFO & EDUCATION ACTIVITIES TO FY 91 LEVEL.	72622	2.00	43573	29049	
32	2000	5	RESTORE ADM ASST TO LEGAL TO PROVIDE PROJECT TRACKING AND MONITORING ACTIVITIES FOR THE SECTION.	33746	1.00	20248	13498	
33	2000	6	RESTORE GRAPHIC SUPPORT FOR TECHNICAL REPORT & BROCHURE PRODUCTION ACTIVITIES.	51489	1.50	30893	20596	
34	2000	7	RESTORE ENVIRONMENTAL MEDIATION TRAINING TO LEGAL STAFF TO ENHANCE NATURAL RESOURCE ISSUE DISPUTE RESOLUTION. INCREASES.	17000	.00	10200	6800	

0

A

	A	B	C	D	E	F	G	H	I
1	**********								
2	COORDINATION & INFORMATION								
3	BUDGET SUMMARY	ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET		INCREASE	
4	JULY 1990	1987	1988	1989	1990	1991		90 TO 91	
5	**********								
6									
7	RESOURCES								
8									
9	GENERAL FUND	530568	631593	771694	818614	917923		99309	
10	FEDERAL FUNDS	452220	363122	386257	346721	357575		10854	
11	LOTTERY	4985	0	0	0	0		0	
12	GW BIG SPRINGS G01	0	4471	4561	3284	3778		494	
13	GW DNR GENERAL G02	0	17056	184965	164560	89273		-75287	***
14	GW LAND FILL ALT OOC G03	0	1245	0	0	0		0	
15	GW SOLID WASTE G04	0	1170	0	0	0		0	
16	STORAGE TANK ADM G12	0	70	21412	8166	42081		33915	*
17	HOUSE HOLD HAZ WSTE ADM G17	0	265	3265	4409	1315		-3094	
18	WELL GRANTS PGM ADM G23	0	0	1412	1436	1482		46	
19	SOLID WASTE/LANDFILL ALT.	0	0	5017	8201	1746		-6455	
20	SOLID WASTE ADM G29	0	8594	11999	11878	31079		19201	
21	WASTE MGT AUTH ADM G30	0	4253	7498	6390	0		-6390	
22	OIL OVERCHARGE	6420	16200	19760	41341	38614		-2727	
23	LEASE PURCHASE (SIFIC A&B)	0	6705	8226	9042	7249		-1793	
24	UTILITY REFUND	4922	4096	8969	13064	21019		7955	
25	OTHER FUNDS	0	0	0	5795	7903		2108	
26	LAND MGMT TRUST FUND	0	0	0	5455	9388		3933	
27	PARK USER FEE	0	4061	7927	0	0		0	
28	ADMINISTRATION FUND	299343	371120	316500	470500	593000		122500	*
29	TRANSFER F&W	464729	410134	463538	486498	468528		-17970	
30	----------								
31	TOTAL REVENUES	1763188	1844156	2222999	2405353	2591953		186600	
32	----------								
33									
34	EXPENDITURES								
35									
36	#FTE NO VACANCY FACTOR	43.50	44.32	41.40	40.45	43.08		2.63	*
37	#FTE CEILING	N/A	N/A	N/A	40.45	42.08		1.63	*
38	#FTE ACTUAL/W VACANCY FACTOR	38.84	37.22	41.40	40.45	43.08		2.63	*
39									
40	PERSONNEL	1228868	1227282	1450988	1481952	1651194		169242	
41	PERSONAL TRAVEL	37572	28580	33420	45800	59800		14000	*
42	VEHICLE OPERATION	5550	7343	7535	10931	11306		375	
43	VEHICLE DEPRECIATION	6820	7935	12315	17700	17200		-500	
44	OFFICE SUPPLIES	67400	72038	74174	70500	82500		12000	**
45	FAC MAINT SUPPLIES	22767	21021	11770	24000	24000		0	
46	EQUIP MAINT SUPPLIES	10816	13672	10137	12000	12000		0	
47	PROF/SCIENT SUPPLIES	64	0	0	0	20000		20000	**
48	CONS SUPPLIES	2178	620	659	500	500		0	
49	OTHER SUPPLIES	28682	41347	38695	28700	37100		8400	**
50	PRINTING	246220	289769	339095	377950	367950		-10000	***
51	UNIFORMS	1839	2453	4020	2850	2850		0	
52	COMMUNICATIONS	5461	11510	11950	9200	12000		2800	
53	RENTALS	1817	1565	1198	850	850		0	
54	UTILITIES	25797	25082	28060	26750	29750		3000	
55	PROF/SCIEN SERVICES	7990	7985	67492	130420	75000		-55420	***
56	OUTSIDE SERVICES	36846	46287	52301	60000	83250		23250	****
57	INTRA STATE TRANSFERS	0	2559	0	0	0		0	
58	ADVERTISING	0	2473	5750	12500	12500		0	
59	DATA PROCESSING	10790	6014	9974	19600	26152		6552	
60	STATE REIMBURSEMENT	12160	9540	6141	5000	5000		0	
61	EQUIPMENT	3520	19026	57325	68150	61050		-7100	
62	LICENCE FEES	30	55	0	0	0		0	
63	----------								
64	TOTAL EXPENDITURES	1763187	1844156	2222999	2405353	2591952		186599	
65	**********								

66 COMMENTS:

67

68 * 1.63 OF THE INCREASED FTE WAS INCLUDED IN THE LEGISLATIVE FTE CEILING FOR REAP CONGRESS PER DIEM.
69 THE TRAVEL INCREASE NOTED IS ALSO FOR REAP CONGRESS MEMBERS. THE ADDITIONAL FTE IS FOR A NEW
70 ATTORNEY POSITION FOR & FUNDED BY THE UNDERGROUND STORAGE TANK PROGRAM.

71

72 **THE INCREASED SUPPLY BUDGET IS FOR PURCHASE OF GROUNDWATER PLANNING DATA & TEACHING MATERIALS
73 FOR GROUNDWATER EDUCATION PROGRAMS.

74

75 ***DECREASES IN PRINTING & PROF & SCIENTIFIC SERVICES DUE TO COMPLETION OF GW ED PROGRAMS

76

77 ****DUE TO ANTICIPATED INCREASED COSTS FOR INSPECTION & APPEALS CONDUCT OF CONTESTED CASE HEARINGS.
78 AND ADDITIONAL COSTS FOR IMPLEMENTATION OF ENVIRONMENTAL MEDIATION SERVICES.

79 **********

91001542G72 3000
ADMINISTRATIVE SERVICES DIV.

BASE BUDGET DESCRIPTION:

Base. At the base level, general Administrative Support, Data Processing, Finance, Budget and License staff would be reduced proportionately to the remainder of DNR operations. The assumption is made that the remainder of DNR's programming and staffing have been reduced to base also, and would logically require less support.

The Administrative Support Bureau's budget also includes "pooled" budgets for the central office vehicle pool, postage, all DNR office supplies, and central office communications. Likewise, it is assumed that the demand for these items would be reduced along with the remainder of the DNR's programming and staffing. Thus, the base level assumes an approximate 25% reduction in these areas.

The staff for Land Acquisition and Management and for Construction Services would be reduced to the minimum necessary to handle management of existing land areas, critical maintenance and renovation of existing facilities, and related activities. It is logically inferred that if the state makes a policy decision to reduce DNR programs to the base level, continued funding for land acquisition and major development or redevelopment of area infrastructure would not occur. Instead, earmarked funds currently earmarked for capitals would be shifted, through legislative action, to operational needs.

The approved FY 91 FTE level is 126.15. The proposed base for FY 92 is 81.75 FTE, and all the decision packages total 45.90 FTE. Requested FTE for FY 92 is 128.15, two more than the current year. Support costs are generally apportioned in the same manner as staffing.

BUDGET WORKSHEET

ADMINISTRATIVE SERVICES DIVISION

DEPT PRIOR	DIV	DIV PRIOR	DESCRIPTION	TOTAL	#FTE	GEN FUND	FISH & GAME	OTHER
6	3000	1	RESTORE ADMINISTRATIVE SUPPORT TO 95% OF FY91 STAFF LEVEL.	429354	9.00	257612	171742	
12	3000	2	RESTORE ACCOUNTING & DATA PROCESSING SERVICES TO 90% OF FY91 LEVEL.	287247	6.00	172348	114899	
13	3000	3	RESTORE CONSTRUCTION SERVICES TO THE FY91 LEVEL. PROVIDES DESIGN & CONTRACT ADMIN OF DNR DEVELOPMENT & RENOVATION PROJECTS. TRANSFER FUNDING TO CAPITAL ACCOUNTS.	656981	15.00			656981
16	3000	4	RESTORE LAND ACQUISITION TO THE FY 91 LEVEL PROVIDING FOR APPRAISAL NEGOTIATION & RELOCATION ACTIVITIES ASSOCIATED WITH ACQUIRING RECREATIONAL/ PRESERVE/FISH & WILDLIFE LAND. FUNDING SHIFTED FROM GF TO CAPITAL FUNDS.	210300	4.00			210300
21	3000	5	RESTORE ACCOUNTING & LICENSING FULL TIME POSITIONS & SUPPORT TO FY 91 LEVELS.	85209	3.00	51125	34084	
27	3000	6	RESTORE BUDGET & GRANTS & DATA PROCESSING TO 91 LEVELS ALLOWING FOR LOCAL RECREATION GRANT PROCESS-PROCESSING ACTIVITIES & CONTINUATION OF INFORMATION PROCESSING ACTIVITIES	172388	4.00	103433	68955	
28	3000	7	RESTORE ADM SUPPORT TO 91 LEVEL.	74390	3.00	44634	29756	
46	3000	8	PROVIDE FOR 2 ADDITIONAL STAFF TO ADDRESS INCREASED OFFICE MGT AND ACCOUNTING DUTIES ASSOCIATED WITH ENVIRONMENTAL PROG INCREASES.	42000	2.00	25200	16800	
47	3000	10	PROVIDE FOR ADMINISTRATIVE COST INCREASES FOR VEHICLE OPERATION & DEPRECIATION AS WELL AS POSTAGE/TELEPHONE & AUDIT COSTS.	135000	.00	81000	54000	
53	3000	9	PROVIDE FOR IMPROVED RECORDS MGT CAPABILITY THROUGH THE PURCHASE OF ADDITIONAL FILING EQUIP & OPTICAL SCANNING EQUIP.	200000	.00	200000	93 ONLY	

	A	B	C	D	E	F	G	H	I
1	**********								
2	ADMINISTRATIVE SERVICES								
3	BUDGET SUMMARY	ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET		INCREASE	
4	JULY 1990	1987	1988	1989	1990	1991		90 TO 91	
5	**********								
6									
7	RESOURCES								
8									
9	GENERAL FUND	1190361	1388875	1530786	1620327	1926457		306130	
10	FEDERAL FUNDS	645821	636512	626456	560646	609320		48674	
11	LOTTERY	89391	75000	75000	0	0		0	
12	GW BIG SPRINGS G01	0	10380	10750	9579	12283		2704	
13	GW DNR GENERAL G02	0	3125	41393	49232	46569		-2663	
14	GW LAND FILL ALT OOC G03	0	2889	0	0	0		0	
15	GW SOLID WASTE G04	0	2715	0	0	0		0	
16	STORAGE TANK ADM G12	0	163	50472	23818	5138		-18680	
17	HOUSE HOLD HAZ WSTE ADM G17	0	616	7695	12859	4276		-8583	
18	WELL GRANTS PGM ADM G23	0	0	3329	4190	4818		629	
19	SOLID WASTE/LANDFILL ALT.	0	0	11825	23918	5675		-18243	
20	SOLID WASTE ADM G29	0	19951	28284	34645	101028		66383	
21	WASTE MGT AUTH ADM G30	0	9872	17673	18638	0		-18638	
22	OIL OVERCHARGE	15132	37607	46576	37995	12151		-25844	
23	MARINE FUEL	162338	150000	150000	150000	150000		0	
24	LEASE PURCHASE (SIFIC A&B)	0	15566	19389	26372	23564		-2808	
25	UTILITY REFUND	11603	9509	21140	38102	68328		30226	
26	OTHER FUNDS	0	0	0	51358	51516		158	
27	LAND MGMT TRUST FUND	0	0	0	165919	180516		14597	
28	PARK USER FEE	77639	84426	93685	0	0		0	
29	TRANSFER F&W	1609039	1707577	1955986	2341243	2276723		-64520	
30	----------								
31	TOTAL REVENUES	3801324	4154783	4690441	5168840	5478362		309522	
32	----------								
33									
34	EXPENDITURES								
35									
36	#FTE NO VACANCY FACTOR	121.90	130.85	126.15	126.15	126.15		.00	*
37	#FTE CEILING	N/A	N/A	N/A	124.15	124.15		.00	
38	#FTE ACTUAL/W VACANCY FACTOR	110.07	114.43	118.51	124.15	124.15		.00	
39									
40	PERSONNEL	2837690	3148383	3494650	3869180	4119712		250532	
41	PERSONAL TRAVEL	36969	46788	50538	61400	60350		-1050	
42	VEHICLE OPERATION	34323	45839	47842	58500	60500		2000	
43	VEHICLE DEPRECIATION	24470	55780	60650	68500	72500		4000	
44	OFFICE SUPPLIES	273233	304748	365294	340050	347350		7300	
45	FAC MAINT SUPPLIES	980	1300	366	1700	1700		0	
46	EQUIP MAINT SUPPLIES	74484	65669	72293	63100	50000		-13100	
47	OTHER SUPPLIES	16761	10746	13104	12300	15500		3200	
48	PRINTING	21708	27525	25333	27275	37175		9900	
49	UNIFORMS	2641	4146	4734	4200	4200		0	
50	COMMUNICATIONS	170827	183727	207897	222860	236500		13640	
51	RENTALS	2935	746	4515	1900	1900		0	
52	PROF/SCIEN SERVICES	0	0	0	7500	0		-7500	
53	OUTSIDE SERVICES	22638	39930	12726	35950	57350		21400	
54	INTRA STATE TRANSFERS	0	1763	0	0	0		0	
55	ADVERTISING	260	408	92	1650	1650		0	
56	DATA PROCESSING	163783	118311	108738	119500	124700		5200	
57	AUDITORS REIMBURSEMENT	20089	50522	107108	112000	80000		-32000	
58	STATE REIMBURSEMENT	10672	14031	13630	17950	22300		4350	
59	EQUIPMENT	86606	34305	100915	143175	184825		41650	
60	OTHER EXPENSE	135	75	0	0	0		0	
61	LICENCE FEES	120	41	16	150	150		0	
62	----------								
63	TOTAL EXPENDITURES	3801324	4154783	4690441	5168840	5478362		309522	
64	**********								
65	COMMENTS:								
66									
67	* NO STAFF INCREASES PROPOSED FTE CEILING OF 124.15 MET IF VACANCY FACTOR OF 2 IS MAINTAINED.								
68	**********								

50

91001542G72 4000
PARKS, PRES. & RECREATION DIV.

BASE BUDGET DESCRIPTION:

At base, 15 state park and recreation areas would experience reduced levels of operation. This means that many full-time staff at these 15 areas would be eliminated and management would be carried out by seasonal, part-time employees who would perform only basic, necessary maintenance functions. Certain facilities requiring daily maintenance or prone to vandalism would be removed from these areas. Such facilities include shower and modern restroom buildings and beach areas. In some cases, campgrounds and other public-use areas would only be available to the public during 20 weeks of the recreation season (Memorial Day through Labor Day). Through the remainder of the year these areas would be available for day use only by the public. Total number of positions eliminated include 15 park rangers, and seven park attendants. All remaining savings would be achieved through cost reductions that result from reduced facilities and maintenance.

At this level, 28 major park and recreation areas would be managed at present levels of operation. These would be areas that now receive heaviest use and toward which maximum effort should continue to be directed. Present operations would be reduced significantly in 36 areas.

The consequences of operating at base would typify the problems described in the analysis of the "Resources" critical issue in the Governor's Futures Agenda. As an important element in Iowa's natural resource investment and infrastructure, its state parks require continued financial support for maintenance, operation and development.

8

PARKS, PRESERVES AND RECREATION DIVISION

BUDGET WORKSHEET

DEPT PRIOR	DIV	DIV PRIOR	DESCRIPTION	TOTAL	#FTE	GEN FUND	FISH & GAME	OTHER
1	4000	1	RESTORE WILDCAT DEN/FAIRPORT, BEEDSLK, BELLEVUE, LK DARLING, AND LK KEOMAH TO FY 91 LEVELS	460699	10.00	360699		100000MFT
9	4000	2	RESTORE MAQUOKETA CAVES, MINES OF SPAIN, PILOT KNOB,PRAIRIE ROSE & ROCK CREEK TO FY 91 LEVELS.	372442	7.00	372442		
14	4000	3	RESTORE A.A.CALL, WAPSIPINICON, WAUBONSIE, WILSON ISLAND, & VOLGA TO FY 91 LEVELS	323839	5.00	323839		
25	4000	4	RESTORE FUNDING TO MAINTAIN THE STATE PARK TRAIL SYSTEM	75000	.00	75000		
42	4000	5	PROVIDE FUNDS FOR REPLACEMENT OF SUCH ITEMS AS PICINIC TABLES FIRE RINGS, GRILLES, FIRE PITS ETC IN ORDER TO MAINTAIN PARK FACILITIES.	58000	.00	58000		

	A	B	C	D	E	F	G	H	I
1	**********								
2	PARKS PRESERVES & RECREATION								
3	BUDGET SUMMARY	ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET		INCREASE	
4	JULY 1990	1987	1988	1989	1990	1991		90 TO 91	
5	**********								
6									
7	RESOURCES								
8									
9	GENERAL FUND	3640272	4433917	4849311	5403733	5625918		222185	
10	FEDERAL FUNDS	0	23494	11362	44199	65500		21301	***
11	CEDAR ROCK OPERATIONS	85877	80869	76731	88300	100467		12167	*
12	MARINE FUEL	396238	397179	400000	400000	400000		0	
13	OTHER FUNDS	4649	19906	7235	0	30000		30000	*
14	LAND MGMT TRUST FUND	0	0	0	187591	234032		46441	*
15	PARK USER FEE	2504	61004	369794	0	0		0	
16	CONSERVATION FUND	1338063	1449456	1412671	1558374	1574655		16281	
17	----------								
18	TOTAL REVENUES	5467603	6465825	7127104	7682197	8030572		348375	
19	----------								
20									
21	EXPENDITURES								
22									
23	#FTE NO VACANCY FACTOR	203.35	206.99	207.05	208.76	219.23		10.47	*
24	#FTE CEILING	N/A	N/A	N/A	207.05	207.05		.00	
25	#FTE ACTUAL/W VACANCY FACTOR	186.23	193.39	204.75	207.05	217.52		10.47	
26									
27	PERSONNEL	3690001	4289954	4744505	5073170	5491289		418119	
28	PERSONAL TRAVEL	61995	74038	82650	80000	81248		1248	
29	VEHICLE OPERATION	153426	150400	166403	180000	181406		1406	
30	VEHICLE DEPRECIATION	166425	251320	254870	287694	289769		2075	
31	OFFICE SUPPLIES	63334	46548	60122	45575	45575		0	
32	FAC MAINT SUPPLIES	342058	439742	511150	692568	560082		-132486	**
33	EQUIP MAINT SUPPLIES	240990	281370	278206	294000	290100		-3900	
34	PROF/SCIENT SUPPLIES	0	0	0	1000	1000		0	
35	CONS SUPPLIES	19602	16950	20243	19500	19500		0	
36	OTHER SUPPLIES	19009	21821	72365	26943	27247		304	
37	PRINTING	20452	46166	27190	103039	103039		0	
38	UNIFORMS	33968	46965	42065	50000	50100		100	
39	COMMUNICATIONS	66600	68498	79536	66692	66692		0	
40	RENTALS	24242	23781	24538	24640	24040		-600	
41	UTILITIES	280634	314023	340395	293276	344451		51175	**
42	PROF/SCIEN SERVICES	2279	58995	31488	60645	96600		35955	***
43	OUTSIDE SERVICES	176075	202777	198318	165332	165332		0	
44	INTRA STATE TRANSFERS	0	8850	0	0	0		0	
45	ADVERTISING	0	4380	1595	4080	4080		0	
46	OUTSIDE REPAIRS	3535	0	0	0	0		0	
47	DATA PROCESSING	4941	3349	6517	8000	8000		0	
48	STATE REIMBURSEMENT	6210	5341	15396	2925	7425		4500	
49	EQUIPMENT	87400	106636	166264	197721	168200		-29521	**
50	OTHER EXPENSE	1956	2656	2825	2700	2700		0	
51	LICENCE FEES	2471	1265	463	2697	2697		0	
52	----------								
53	TOTAL EXPENDITURES	5467603	6465825	7127104	7682197	8030572		348375	
54	**********								
55	COMMENTS:								
56									
57	* THE FTE CEILING OF 207.05 IS BEING EXCEEDED BY 10.47 FTE. OF THIS AMOUNT 2 POSITIONS								
58	ARE A RESULT OF THE LEGISLATURES ORDER NOT TO COMPLETE THE PROPOSED PARKS REORGANIZATION.								
59	6.89 FTE REPRESENT TRAIL CREW INCREASES FUNDED BY THE LAND MGT ACCOUNT & A DED GRANT FOR MINES								
60	OF SPAIN TRAIL WORK. THE REMAINING 1.13 FTE INCREASE IS FOR MAINTAINANCE CREW INCREASES								
61	AT CEDAR ROCK FUNDED OUT OF THE CEDAR ROCK TRUST FUND.								
62									
63	**DECREASES OF 160K IN EQUIPMENT & FACILITY MAINTENANCE WERE USED TO PAY FOR UTILITY INCREASES & A 1%								
64	REDUCTION MANDATED BY THE LEGISLATURE. A 40K REDUCTION IN LAND MGT TRAIL CREW FACILITY								
65	MAINTENCE SUPPLIES BASED ON FY 91 PROPOSED PROJECT NEEDS IS ALSO REFLECTED.								
66									
67	***PROFESSIONAL & SCIENTIFIC SERVICES INCREASED DUE TO INCREASED AVAILABILITY OF								
68	FEDERAL ENDANGERED SPECIES RESEARCH FUNDING.								
69	**********								

91001542G72 5000
FORESTRY DIVISION

BASE BUDGET DESCRIPTION:

At base this package provides:

1. Nursery - Produce and distribute 5,000,000 trees and shrubs to conservation agencies and for sale to private landowners. This will result in 5,000 acres of trees planted and a return of $680,000 to the General Fund. Consequences of not approving would be loss of revenue, loss of wildlife habitat established and loss of future timber crops. Alternatives such as shifting to other sources of stock would be inefficient, more costly and would not yield the results to be obtained in implementing this package.

2. State Forests - Provides a reduced level of maintenance on state forests and will provide for 98,000 activity days of use by the public. Consequences of not approving this package will be loss of public use, possible legal liabilities due to improper maintenance and loss of forest products and revenue from the forests. Alternative is to close forests to public use, forgo products and income and to defer management activities.

3. Farm Forestry - Provides for professional forest management assistance to 3,800 landowners in all aspects of forest and tree management. Consequences of not funding this package would be the elimination of a source of technical assistance to landowners in managing the forest resource resulting in a loss of income to landowners and wood-using industries in the state as well as reduction in the quantity and quality of woodland. Alternatives would be denial or resource management assistance to landowners carrying out woodland management resulting in future shortfalls in quality timber production and a depleted resource.

4. Protection - Provides for assisting 325 fire departments with federal cost- share funds for training and small equipment, assisting 340 fire departments obtain or retain federal excess equipment used for fire protection and assistance to 300 landowners with insect and disease advice. Consequences of not implementing would be a loss of $100,000 or more in federal dollars currently going to fire departments, loss of source of excess military equipment for fire departments and an increase in the loss of the forest resource to insects and disease. Alternatives would be for local fire departments to fund all projects and equipment.

5. Utilization and Marketing - Provides for technical and marketing assistance to 160 sawmills, loggers, timber buyers and wood-using industries, and assisting landowners with the sale of 3.9 million board feet of timber. Consequences of not implementing would be less timber sold, fewer dollars returned to landowners and loss of raw material for wood-using industries. Alternatives would be to hire consultants, if available.

FORESTS AND FORESTRY DIVISION

BUDGET WORKSHEET

DEPT PRIOR	DIV	DIV PRIOR	DESCRIPTION	TOTAL	#FTE	GEN FUND	FISH & GAME	OTHER	
2	5000	1	RESTORE PROFESSIONL FORESTRY MGT ASSISTANCE TO LANDOWNERS BY RESTORING THREE DISTRICT OFFICES SERVING 30% OF THE STATE	160521	3.00	160521			
19	5000	2	RESTORE YELLOW RIVER,TO 90% AND STEPHENS & LOESS HILLS STATE FORESTS TO 100% OF FY91 LEVELS	124274	4.00	124274			
23	5000	3	RESTORE YELLOW RIVER & SHIMEK STATE FORESTS TO 100% OF FY 91 LEVELS	93762	3.00	93762			
24	5000	4	RESTORE FARM FORESTRY PROG TO 100% OF FY91 LEVEL.	79923	2.00	79923			
48	5000	5	PROVIDE ADDITIONAL FUNDS FOR STAFF & SUPPORT TO ADM REAP FORESTRY COST SHARE PG & NEW FED FOREST STEWARDSHIP PG.	148225	3.00	74113		74113	3 MORE IN 93 260K TTL
49	5000	6	PROVIDE STAFFING & SUPPORT FOR NEW RURAL REVITALIZATION THROUGH FORESTRY PG. INCREASING FORESTRY RELATED BUISINESS GROWTH IN IOWA.	50500	1.00	25250		25250	
50	5000	7	PROVIDE ADDITIONAL STAFF & SUPPORT TO INCREASE FORESTRY EFFORTS ON NEW REICHELT & LOESS HILLS LAND AQUISITIONS.	53800	2.00	53800			
51	5000	8	PROVIDE ADDITIONAL EXTRA HELP TO THE NURSERY TO ADDRESS INCREASED DEMAND FOR NURSERY STOCK.	13000	1.00			13000	
54	5000	9	PROVIDE ADDITIONAL STAFF & SUPPT TO ADDRESS PROGRAM EXPANSIONS WHICH HAVE OCCURRED OVER THE SEVERAL YEARS.	44000	1.00	44000	93 ONLY		
55	5000	10	PROVIDE ADDITIONAL STAFF & SUPPT TO STEPHENS STATE FOREST TO ADDRESS EXPANDED FOREST MGT ACTIVITIES IN ADDITION TO AREA MAINTENACE FUNCTIONS.	20500	1.00	20500	93 ONLY		

	A	B	C	D	E	F	G	H	I
1	**********								
2	FORESTRY								
3	BUDGET SUMMARY	ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET		INCREASE	
4	JULY 1990	1987	1988	1989	1990	1991		90 TO 91	
5	**********								
6									
7	RESOURCES								
8									
9	GENERAL FUND	1209820	1257925	1401417	1508273	1716801		208528	*
10	FEDERAL FUNDS	88811	104293	171851	114650	292000		177350	**
11	CONSERVATION FUND	356585	500000	500000	715000	751000		36000	
12	----------								
13	TOTAL REVENUES	1655216	1862218	2073268	2337923	2759801		421878	
14	----------								
15									
16	EXPENDITURES								
17									
18	#FTE NO VACANCY FACTOR	55.13	51.64	51.64	53.85	55.96		2.11	*
19	#FTE CEILING	N/A	N/A	N/A	53.60	55.71		2.11	*
20	#FTE ACTUAL/W VACANCY FACTOR	48.34	46.46	50.77	53.60	55.71		2.11	*
21									
22	PERSONNEL	1213261	1297424	1468960	1659017	1865415		206398	*
23	PERSONAL TRAVEL	26848	32585	32300	39535	45305		5770	
24	VEHICLE OPERATION	49875	51883	65132	72000	76000		4000	
25	VEHICLE DEPRECIATION	69170	106275	109475	112900	120286		7386	
26	OFFICE SUPPLIES	11774	25502	14660	16920	17220		300	
27	FAC MAINT SUPPLIES	16040	24225	31135	30000	32420		2420	
28	EQUIP MAINT SUPPLIES	47577	49217	55035	55000	56200		1200	
29	CONS SUPPLIES	59017	80459	63955	108278	110118		1840	
30	OTHER SUPPLIES	9899	8659	36943	15900	16000		100	
31	PRINTING	4058	5012	8550	19009	14516		-4493	
32	UNIFORMS	9569	12530	12317	13625	14950		1325	
33	COMMUNICATIONS	22804	22168	27664	23995	24680		685	
34	RENTALS	16553	17772	22320	17200	17200		0	
35	UTILITIES	25025	30478	30426	27000	27500		500	
36	PROF/SCIEN SERVICES	0	4683	1500	0	40000		40000	**
37	OUTSIDE SERVICES	62040	72052	50971	42800	42350		-450	
38	INTRA STATE TRANSFERS	0	1465	0	0	0		0	
39	ADVERTISING	715	400	666	1000	900		-100	
40	DATA PROCESSING	7617	10993	18943	11900	12200		300	
41	STATE REIMBURSEMENT	840	415	2952	1100	500		-600	
42	EQUIPMENT	2213	7675	19294	70404	131701		61297	**
43	LICENCE FEES	321	346	70	340	340		0	
44	STATE AID	0	0	0	0	94000		94000	**
45	----------								
46	TOTAL EXPENDITURES	1655216	1862218	2073268	2337923	2759801		421878	
47	----------								
48	COMMENTS:								
49									
50	* THE FTE CEILING OF 55.71 IS BEING MET NO STAFF INCREASES ARE PROPOSED. THE 2.11 INCREASE								
51	NOTED ABOVE IS NOT THE RESULT OF PROGRAM INCREASES BUT RATHER THE INCLUSION OF THE SPECIAL								
52	FY 90 LOESS HILLS PIONEER STATE FOREST APPROPRIATION INTO FORESTRY'S OVERALL APPROPRIATION								
53									
54	**THE INCREASE IN FEDERAL FUNDING SHOWN PRIMARILY REPRESENTS AN ACCOUNTING CHANGE. PASS THRU								
55	FUNDING FOR EQUIPMENT COST SHARE PROGRAMS WITH LOCAL FIRE STATION HAS BEEN INCLUDED								
56	IN FORESTRY'S OPERATION BUDGET ELIMINATING THE NEED FOR A SEPARATE FUND & CONSOLIDATING								
57	ALL FORESTRY FEDERAL AID IN ONE LOCATION. APPROXIMATELY 80K OF THE INCREASE								
58	IS TO BE USED FOR EQUIPMENT PURCHASES & TO PAY FOR A TEMPORARY STAFF ASSIGNMENT TO								
59	TO DNR FROM THE FEDERAL SCS TO HELP WITH THE REFORESTATION PROGRAM.								
60	**********								

95

91001542G72 6000
ENERGY & GEOLOGICAL RESOURCES

BASE BUDGET DESCRIPTION:

At 75% of FY 91 funding, the Geological Survey Bureau will maintain the following services/programs at the current level:

1. Continue applied geologic and hydrologic research projects, and improve the data base on natural resources to better address environmental issues such as those identified in the Groundwater Protection Act.

2. Provide information services on water resources availability/quality, coal, industrial mineral commodities, and on metallic minerals/oil/gas potential.

3. Conduct microscopic analysis and preparation of graphic/descriptive logs of drill cuttings on an emergency basis.

4. Prepare reports to document research results so that the information is readily available to all users.

At 75% of FY 91 funding, the Geological Survey Bureau will reduce or eliminate the following services/programs:

1. Eliminate the monitoring well construction and geologic research drilling program.

2. Eliminate drill sample collection from drilling contractors and laboratory processing of drill cuttings and cores.

3. Eliminate studies of soils and glacial deposits that are critical to environmental programs related to sanitary landfills and hazardous waste sites.

4. Reduce geologic mapping and synthesis of information on rock units by 40%; reduce production of open-file reports and published reports by 25%.

5. Reduce field-support services, field equipment maintenance, and cataloging of rock library (core and drill samples) by 50%.

6. Reduce matching dollars from the U.S. Geological Survey for cooperative quality/water use projects.

1A

BUDGET WORKSHEET

ENERGY AND GEOLOGICAL RESOURCES DIVISION

DEPT PRIOR	DIV	DIV PRIOR	DESCRIPTION	TOTAL	#FTE	GEN FUND	FISH & GAME	OTHER
5	6200	1	RESTORE MICROSCOPIC ANALYSIS & DESCRIPTION OF DRILL SAMPLES FROM PRIVATE, MUNICIPAL, AND INDUSTRIAL WELLS.	44177	1.00	44177		
17	6200	2	RESTORE SOILS & SEDIMENTS STUDIES & INVESTIGATIONS RESEARCHING THE SUSCEPTIBILITY OF GROUNDWATER TO CONTAMINATION.	53860	1.00	53860		
18	6200	3	RESTORE DRILL SAMPLE PROCESSING & TRACKING, FIELD EQUIPMENT MAIN/REPAIR & MAP/ PUBLICATIONS CATALOGING.	116055	3.00	116055		
20	6200	4	RESTORE DRILLING PROGRAM BY PROVIDING FOR CONTINUED WATER QUALITY/QUANTITY INVESTIGATIONS & RELATED GEOLOGICAL INFO.	88597	2.00	88597		
26	6200	5	RESTORE ANALYSIS OF SOILS & SEDIMENTS NEEDED AS DATA BASE FOR SITING LANDFILLS, HAZ WASTE STORAGE FACILITIES & LOCATING SAND GRAVEL STONE ETC FOR CONSTRUCTION PROJECTS	51165	1.00	51165		
52	6200	6	PROVIDE COMPUTER WORK STATION & COMMUNICATION EQUIP TO REPLACE OUTDATED EQUIP. ENHANCING REMOTE SENSING INFO PROCESSING AT A LOWER ANNUAL MAINT COST.(-20K)	60000	.00	60000		

	A	B	C	D	E	F	G	H	I
1	ENERGY & GEOLOGICAL SURVEY								
2	BUDGET SUMMARY	ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET		INCREASE	
3	JULY 1990	1987	1988	1989	1990	1991		90 TO 91	
4									
5	RESOURCES								
6	GENERAL FUND	889373	968864	1098117	1247525	1403047		155522	
7	FEDERAL FUNDS	528912	508887	526511	481329	508788		27459	***
8	LOTTERY	60388	0	0	0	0		0	
9	GW BIG SPRINGS G01	0	463553	598488	640013	674624		34611	
10	GW DNR GENERAL G02	0	60523	461257	296781	359416		62635	
11	GW RURAL WELL ASSESSMENT G06	0	281908	250000	0	0		0	
12	OIL OVERCHARGE	140726	221361	187348	983606	879855		-103751	**
13	MARINE FUEL	0	0	0	0	0		0	
14	LEASE PURCHASE (SIFIC A&B)	12946	105206	124586	185425	198478		13053	
15	UTILITY REFUND	459485	136126	249976	818038	554686		-263352	**
16	OTHER FUNDS	23213	36744	139645	131616	45000		-86616	
17	TOTAL REVENUES	2115043	2783172	3635928	4784333	4623894		-160439	
18	EXPENDITURES								
19	#FTE NO VACANCY FACTOR	43.93	53.50	54.39	60.72	61.50		.78	
20	#FTE CEILING	N/A	N/A	N/A	59.12	59.62		.50	
21	#FTE ACTUAL/W VACANCY FACTOR	41.65	48.77	54.39	59.12	59.62		.50	*
22	PERSONNEL	1301309	1572098	1873942	2161890	2340825		178935	
23	PERSONAL TRAVEL	49185	61838	63216	78507	96210		17703	
24	VEHICLE OPERATION	18030	17953	23504	26540	28800		2260	
25	VEHICLE DEPRECIATION	10880	21240	23700	23442	27302		3860	
26	OFFICE SUPPLIES	13262	10814	9137	13596	6949		-6647	
27	FAC MAINT SUPPLIES	1406	17630	3968	4500	4500		0	
28	EQUIP MAINT SUPPLIES	1531	1573	7847	4100	40000		35900	
29	PROF/SCIENT SUPPLIES	367	17684	2940	15846	52394		36548	
30	CONS SUPPLIES	110	0	0	0	0		0	
31	OTHER SUPPLIES	18756	42165	41550	28200	30510		2310	
32	PRINTING	28025	23671	16317	76146	90982		14836	
33	UNIFORMS	0	0	32	0	0		0	
34	COMMUNICATIONS	16646	17853	18587	18568	18510		-58	
35	RENTALS	5262	6340	2985	3500	3800		300	
36	UTILITIES	810	712	12516	19750	13175		-6575	
37	PROF/SCIEN SERVICES	599330	888897	1416796	2211260	1759258		-452002	**
38	OUTSIDE SERVICES	22455	12105	10508	10996	16756		5760	
39	ADVERTISING	1071	2233	191	0	0		0	
40	OUTSIDE REPAIRS	777	0	0	0	0		0	
41	DATA PROCESSING	13388	22614	10721	14168	16400		2232	
42	STATE REIMBURSEMENT	1494	4720	13635	6273	6718		445	
43	EQUIPMENT	10609	40970	83836	67051	70805		3754	
44	LICENCE FEES	340	62	0	0	0		0	
45	TOTAL EXPENDITURES	2115043	2783172	3635928	4784333	4623894		-160439	

COMMENTS:

* THE FTE CEILING OF 59.62 IS .5 FTE HIGHER THAN FY 90 BUDGET. THE ENERGY BUREAU IS UTILIZING THIS ADDITIONAL FTE FOR ADMINISTRATIVE INTERN POSITIONS.

**DECREASE IN PROFESSIONAL & SCIENTIFIC SERVICES DUE TO COMPLETION OF ONE TIME LOCAL GOVT ENERGY MGT PROGRAM CONTRACTS.

BASE BUDGET DESCRIPTION:

Provides for basic operations of the Environmental Protection Division in conducting monitoring, permitting and inspection activities to protect Iowa's water, air and land resources from contamination or degradation. This will provide for continued operation of minimal air and water quality monitoring networks, continued enforcement of state law and regulations covering air quality, water quality, wastewater treatment, and solid waste control. It will eliminate state flood plain regulation/control, and water withdrawal, water use regulation as it currently exists under state law. Additionally, this will also provide for reduced program efforts in public drinking water supply oversight and regulation.

BUDGET WORKSHEET

ENVIRONMENTAL PROTECTION DIVISION

DEPT PRIOR	DIV	DIV PRIOR	DESCRIPTION	TOTAL	#FTE	GEN FUND	FISH & GAME	OTHER
3	7000	1	RESTORE WATER WITHDRAWAL PROG BY PROVIDING FOR STATE SUPERVISION OF WATER USE ACTIVITIES.	135146	3.00	135146		
10	7000	2	TO RESTORE FLOODPLAIN PROG BY PROVIDING FOR STATE SUPERVISION OF FLOOD PLAIN CONST ACTIVITIES	422219	9.00	422219		
11	7000	3	RESTORE WATER SUPPLY PERMIT REVIEW TURNAROUND TIME TO 91 LEVELS.	120626	3.00	30157		90470
36	7000	4	PROVIDE FOR ADDITIONAL WATER SUPPLY CONTAMINANT MONITORING & REGULATION. PARAMETERS REGULATED AND MONITORED HAVE INCREASED 6 FOLD SINCE FY90.	200000	6.00	200000		
37	7000	5	ENHANCE THE DEPT'S ABILITY TO CONDUCT DETAILED ASSESSMENTS & EVALUATIONS OF IOWAS SURFACE WATER STREAMS & RIVERS.	575000	5.00	575000		
38	7000	6	PROVIDE FOR IMPLEMENTATION OF AN ON-GOING AIR QUALITY TOXICS MONITORING, PERMITTING & INSPECTION PROGRAM.	850000	7.00	850000		
39	7000	7	PROVIDE FOR IMPLEMENTATION OF A STATEWIDE GROUNDWATER MONITORING PROGRAM CONSISTING OF 615 FIXED STATION LONG TERM MONITORING WELLS.	600000	1.00	600000		
40	7000	8	PROVIDE FOR IDENTIFICATION & CLEANUP OF ABANDONED/UNCONTROLLED HAZ WASTE SITES NOT ON THE FED PRIORITY LISTING & THEREFORE NOT COVERED BY EXISTING FED FUNDING.	145000	3.00	145000		
41	7000	9	PROVIDE A TRAINING PROGRAM ON EMERGENCY RESPONSE TECHNIQUES TO ENSURE LOCAL RESPONSE PLANS & PROCEDURES ARE UP TO DATE.	70000	2.00	70000		
43	7000	10	PROVIDE ADDITIONAL SUPERVISORY PERSONNEL FOR OVERSITE OF SOLID WASTE ACTIVITIES.	40000	1.00	40000		
44	7000	11	PROVIDE FOR THE RELOCATION OF THE WALLACE BLDG BASED REGIONAL OFFICE DUE TO SPACE SHORTAGE RESULTING FROM PROGRAM STAFFING	14000	.00	14000		

18-A

Environmental Protection Division

Division Priority #4

Department Priority #36

FTE 5.0 Budget 200,000

The department operates the program for supervision of public drinking water supplies pursuant to federal delegation of authority under the Federal Safe Drinking Water Act and state statutory authority. This program had traditionally regulated 16 potential contaminants. During Fiscal 1990, eight additional potential contaminants have been added for regulation plus an additional 36 for which monitoring is required. During Fiscal 1992, it is anticipated that these 36 parameters will come under full regulation and an additional 40-60 added to monitoring requirements and/or partial regulation.

The department will now need to review and regulate the over 1,200 public water supplies in Iowa for six times the number of potential pollutants. Additionally, new federal regulations require more frequent and in depth inspection of operational performance of water supplies. The six additional FTE's are needed to perform this additional work. If this package is not approved, Iowa may not be able to retain delegation of the federal program resulting in U.S. EPA pre-emption of the state drinking water program and the loss of nearly 3/4 of a million dollars in federal grant funds.

18-B

Environmental Protection Division

Division Priority #5 Department Priority #37

FTE 5.0 Budget 575,000

This package would fund five additional FTEs (Environmental Specialist III's) plus increased funding for laboratory/analytical services to provide the department with the ability to conduct detailed assessments and evaluations of Iowa's surface water streams and rivers. As a part of Iowa's water quality program, we are required to classify our surface water streams and rivers according to their current and potential uses. These designations then determine the degree of protection afforded those water bodies and the degree of pollution. Control required of municipal and industrial wastewater discharges. These designations should be based upon real data gathered by trained staff through field assessment techniques, water quality testing, and biological monitoring.

Only 8,000 miles of Iowa's 18,000 miles of streams and rivers have been classified for designated uses through such techniques over the past 15 years. Many of these classifications should be re-evaluated to determine adequacy in the face of changed water quality standards and those not classified by such assessments.

Failure to perform this work could yield to improper classification and protection of surface waters posing threats to the environment and or public health, or excess and unwarranted controls on dischargers.

Environmental Protection Division

18-C

Division Priority # 6 Department Priority #38

FTE 7.0 Budget 850,000

To implement an on-going and effective air quality toxics monitoring, permitting and inspection program. This would provide seven additional FTEs - three in the central office for permitting, monitoring program review, and emission source data inventory functions and four for field office inspection activities - (1 -Environmental Engineer III, 1 - Environmental Engineer II, and five Environmental Specialist IIs). This would also provide for the acquisition and oepration of monitoring equipment to measure actual concentrations of toxic substances in the air in targeted locations of the state - principally urban industrial areas. This will give the department the ability to address over 300 toxic substances which could be emitted to the air in this state and if not properly controlled, pose threats of acute and chronic health problems for Iowa citizens. Iowa's current air quality program addresses only six "priority pollutants" and six toxic/hazardous pollutants.

If this package is not approved, this program will not be implemented subjecting Iowa citizens to unreasonable and unnecessary health risks.

Environmental Protection Division

18-D

Division Priority #7 Department Priority #39

FTE 1.00 Budget 600,000

To provide funding for the implementation of a statewide groundwater monitoring program consisting of 615 fixed station, long-term groundwater monitoring wells on an annual basis, monitoring of a select and target number of wells on a rotational basis and site/location specific problem assessment monitoring. This monitoring would be for both water quality and quantity in Iowa's underground aquifers. Costs would be associated with establishing and sampling monitoring wells and lab analysis via contractual services, and one FTE for oversight and evaluation of the system.

If this package is not approved, this program will not be implemented and a comprehensive groundwater monitoring not conducted.

18-E

Environmental Protection Division

Division Priority # 8 Department Priority #40

FTE 3.0 Budget 145,000

Provide three additional FTEs and professional scientific support to work with responsible parties on the identification and cleanup of abandoned or uncontrolled hazardous waste sites which are not on the federal - national priority listing.

Under federal superfund, a ranking system is used to determine whether a site will be covered under federal superfund laws. This system is specifically designed to focus on the "worst of the worst" and thus, exclude most hazardous waste sites. We have found that we have been most successful in working with these non-national priority sites in getting to actual cleanup.

These three FTEs will augment the one existing person assigned this task and allow for an accelerated program of cleanup of these hazardous waste sites.

There are in excess of 36 sites currently identified and in need of remediation with the possibility of an additional 60 sites yet to be confirmed for cleanup.

Environmental Protection Division

Division Priority # 9 Department Priority #41

18-F

FTE 2.0 Budget 70,000

The department provides a central coordination point for response to environmental emergencies by providing technical and informational support to the agencies field operations in response to accidental spills or releases, technical support and advice and training to police, fire and other public safety officials in their response to these environmental emergencies, assistance and support to the state Office of Disaster Services and development of standardized emergency response plans and procedures.

The addition of two FTEs to the emergency response unit will allow for increased and improved training for departmental staff, local first responders, and private sector officials on proper techniques for emergency response and ensure that spill response plans and procedural documents are maintained in a current fashion.

If this package is not approved, training will be limited and procedures and response plans will not be maintained with current information.

Environmental Protection Division

18-4

Division Priority # 10 Department Priority #43

FTE 1.0 Budget 40,000

Provide a supervisory position to supervise the solid waste activities of the department. Currently these duties are performed by the same supervisor who is over the hazardous waste/abandoned uncontrolled sites programs. As each of these program areas grows in complexity, work load and staff assigned, the ability for one person to effectively and properly supervise the progress and personnel is greatly diminished.

Environmental Protection Division

18-H

Division Priority #11 Department Priority #44

FTE 0 Budget 14,000

Due to dramatic expansion in the number of mandated environmental programs and the resultant increase in staff, the division is experiencing an acute shortage of space. No space exists within the department for additional offices. In order to accommodate additional staff, the division would need to relocate its Des Moines based field office from the Wallace Building to satellite office facilities.

ENVIRONMENTAL PROTECTION BUDGET SUMMARY JULY 1990	ACTUAL 1987	ACTUAL 1988	ACTUAL 1989	BUDGET 1990	BUDGET 1991	INCREASE 90 TO 91	
RESOURCES							
GENERAL FUND	2113320	2007639	2036120	2058170	2068226	10056	
FEDERAL FUNDS	2893867	3271005	3718701	5343083	6341214	998131	*
GW DNR GENERAL G02	0	0	112856	352486	358705	6219	
GW SOLID WASTE G04	0	16652	179171	0	0	0	
GW RURAL WELL ASSESSMENT G06	0	0	20337	10000	0	-10000	
STORAGE TANK ADM G12	0	34800	275731	32180	76856	44676	
WELL GRANTS PGM ADM G23	0	126	5770	23731	53963	30232	
SOLID WASTE ADM G29	0	125730	183028	243626	502216	258590	*
OTHER FUNDS	0	0	1057	242764	206486	-36278	*
TOTAL REVENUES	5007187	5455952	6532771	8306040	9607666	1301626	
EXPENDITURES							
#FTE NO VACANCY FACTOR	123.50	143.50	143.50	147.50	171.00	23.50	*
#FTE CEILING	N/A	N/A	N/A	143.25	142.55	-.70	
#FTE ACTUAL/W VACANCY FACTOR	110.95	109.86	128.90	143.25	160.75	17.50	*
PERSONNEL	3817877	4054798	4835906	5507255	6533191	1025936	*
PERSONAL TRAVEL	65627	71617	93475	158000	180000	22000	
VEHICLE OPERATION	21547	23165	26333	43000	51000	8000	
VEHICLE DEPRECIATION	19520	35070	44275	63000	63000	0	
OFFICE SUPPLIES	19322	21498	25511	41000	40250	-750	
FAC MAINT SUPPLIES	571	4037	2921	7500	2500	-5000	
EQUIP MAINT SUPPLIES	6749	6190	6730	9800	12500	2700	
PROF/SCIENT SUPPLIES	19	65	34	6700	6450	-250	
CONS SUPPLIES	665	2093	0	0	0	0	
OTHER SUPPLIES	4659	11838	26412	24320	33250	8930	
PRINTING	8410	10697	19560	41050	54870	13820	
UNIFORMS	622	997	1776	3200	6200	3000	
COMMUNICATIONS	26515	31465	29671	35650	43650	8000	
RENTALS	38458	34954	45579	45065	47200	2135	
UTILITIES	6526	9442	8196	14145	14145	0	
PROF/SCIEN SERVICES	650274	749635	671594	1612200	1790360	178160	***
OUTSIDE SERVICES	8695	112429	38254	37170	48375	11205	
ADVERTISING	1289	1640	2790	3200	5250	2050	
DATA PROCESSING	120969	118340	113169	139050	165000	25950	
STATE REIMBURSEMENT	6502	10913	18716	14700	17225	2525	
EQUIPMENT	181975	144809	521404	499750	492050	-7700	
OTHER EXPENSE	0	0	0	0	700	700	
LICENCE FEES	396	260	465	285	500	215	
TOTAL EXPENDITURES	5007187	5455952	6532771	8306040	9607666	1301626	

COMMENTS:

* THE FTE CEILING OF 142.55 IS BEING EXCEEDED BY 24.2 FTE AFTER ACCOUNTING FOR A 4.25 FTE VACANCY FACTOR. IN FY 90 1.5 FTE WERE DROPPED IN THE STATE REVOLVING FUND & GEOGRAPHICAL INFORMATION SYSTEM PROGRAMS. AT THE SAME TIME 8 NEW POSITIONS WERE ADDED IN THE UNDERGROUND STORAGE TANK & SUPERFUND PROGRAMS NET INCREASE 6.5 FTE. THE LEGISLATURE APPROPRIATED FUNDS FOR A FLOOD PLAIN ENGINEER BUT DID NOT INCREASE THE FTE BY THE .7 FTE NECESSARY. THE ENGINEERING POSITION IS INCLUDED IN THE CURRENT 91 THE REMAINING 17 NEW POSITIONS ARE BUDGET. PROPOSED ADDITIONS FOR FY 91. AIR QUALITY INCREASES BY 2 WATER SUPPLY 1 & SOLID WASTE 2. THE FIELD SERVICES STORAGE TANK PROGRAM INCREASES BY 6 AS DOES FIELD SERVICES SOLID WASTE ACTIVITIES. ALL INCREASES ARE BEING PAID FOR BY INCREASED FEDERAL FUNDING OR FROM THE SOLID WASTE ACCOUNT OF THE GROUNDWATER FUND.

**PROFESSIONAL & SCIENTIFIC SERVICES INCREASED DUE TO NEW FEDERAL MONEY BEING AVAILABLE FOR NON POINT SOURCE IMPLEMENTATION DEMONSTATION PROJECTS.

91001542G72 8000
FISH AND WILDLIFE DIVISION

BASE BUDGET DESCRIPTION:

Base Budget: At the 75% base budget level, all 3 programs (Law Enforcement, Fisheries and Wildlife) were reduced to the 75% level. Nearly all seasonal extra help and permanent part-time positions would be eliminated in the division. Law Enforcement staffing would be reduced by 11 conservation officer positions, all 6 recreational safety/conservation officer positions and 2 district supervisor positions. The Rathbun Hatchery would be closed and all positions associated with the hatchery eliminated. This would reduce hatchery production of Walleyes and cease catfish production for public lake and farm pond stocking. In addition, 15 fisherues management and research positions would be eliminated. Likewise, 23 wildlife positions would be cut. Reductions in staff positions also result in reductions in budget items devoted to personnel. Also, all contractural research and support for the cooperative Fish and Wildlife Unit at Iowa State University would be eliminated.

Reducing Fish and Wildlife Division: Would:

1. Increase violations of hunting, trapping, fishing, boating and snowmobile laws and rules.
2. Increase citizen dissatisfaction and complaints because of reduced Law Enforcement effort.
3. Decrease the ability to solve natural resource problems through research.
4. Decrease future knowledge upon which to make resource management decisions.
5. Decrease the ability to assist private landowners with wildlife management.
6. Decrease the ability to issue boat dock permits and monitor and mitigate stream channelizations, wetland tilling, disposal of dredge spoil and other activities affecting natural resources.
7. Decrease the ability to manage and maintain desirable fisheries in public lakes, rivers and trout streams.
8. Decrease the hunter, boating and snowmobile safety programs available to Iowans.
9. Decrease the management and maintenance of Iowa's public lands for resource conservation and recreation.

FISH AND WILDLIFE DIVISION

BUDGET WORKSHEET

DEPT PRIOR	DIV	DIV PRIOR	DESCRIPTION	TOTAL	#FTE	GEN FUND	FISH & GAME	OTHER
4	8000	1	TO RESTORE FISH,WILDLIFE & ENFORCEMENT RESEARCH & OPERATIONS ACTIVITIES TO 80% OF 91 LEVEL	957214	19.80		957214	
8	8000	2	RESTORE RATHBUN HATCHERY TO 91 LEVEL RESTORE FISH, WILDLIFE, RESEARCH AND OPERATIONS ACTIVITIES TO 90% OF 91 LEVEL.	1010618	21.85		1010618	
15	8000	3	RESTORE FISH,WILDLIFE AND ENFORCEMENT RESEARCH AND OPERATIONS ACTIVITIES TO 95% OF 91 LEVEL	916464	19.60		916464	
22	8000	4	TO RESTORE FISH,WILDLIFE & ENFORCEMENT RESEARCH & OPERATIONS ACTIVITIES TO 91 LEVEL	1008454	32.37		1008454	
45	8000	5	UTILIZE INCREASED FEDERAL FUNDS TO EXPAND THE MISSISSIPPI MONITORING PROGRAM	100000	3.00		100000	

	A	B	C	D	E	F	G	H	I
1									
2	FISH & WILDLIFE	ACTUAL	ACTUAL	ACTUAL	BUDGET	BUDGET		INCREASE	
3	BUDGET SUMMARY	1987	1988	1989	1990	1991		90 TO 91	
4	JULY 1990								
5									
6									
7	RESOURCES								
8	CORPS PROJECTS	319302	236773	164644	390921	191884		-199037	**
9	FISH & WILDLIFE FUND	11430899	12471627	13376084	14230050	15247060		1017010	
10									
11	TOTAL REVENUES	11750201	12708400	13540728	14620971	15438944		817973	
12									
13									
14									
15	EXPENDITURES								
16	#FTE NO VACANCY FACTOR	314.90	325.35	325.35	332.28	335.78		3.50	*
17	#FTE CEILING	N/A	N/A	N/A	324.24	332.24		8.00	*
18	#FTE ACTUAL/W VACANCY FACTOR	313.32	313.23	321.02	324.24	332.24		8.00	*
19									
20	PERSONNEL	7590923	8499582	9210718	9981126	10922953		941827	
21	PERSONAL TRAVEL	328682	332348	357079	356865	364625		7760	
22	VEHICLE OPERATION	383330	413200	460801	503455	509122		5667	
23	VEHICLE DEPRECIATION	390745	441415	545350	578186	635350		57164	
24	OFFICE SUPPLIES	206505	208095	226317	178090	179993		1903	
25	FAC MAINT SUPPLIES	471596	379086	290657	512491	367423		-145068	**
26	EQUIP MAINT SUPPLIES	315687	369088	391100	401299	379153		-22146	
27	CONS SUPPLIES	322696	327885	356191	372812	345612		-27200	
28	OTHER SUPPLIES	86671	94986	108679	106638	106288		-350	
29	PRINTING	159668	135633	124897	128226	146176		17950	
30	UNIFORMS	104447	120891	116595	125220	128270		3050	
31	COMMUNICATIONS	148562	150371	165197	161317	165340		4023	
32	RENTALS	30259	31775	39195	47785	47185		-600	
33	UTILITIES	162098	167200	203479	219306	222606		3300	
34	PROF/SCIEN SERVICES	166709	197933	262870	193968	191441		-2527	
35	OUTSIDE SERVICES	84055	114473	134607	142916	154066		11150	
36	INTRA STATE TRANSFERS	0	71188	0	0	0		0	
37	ADVERTISING	2669	16987	14835	26420	19570		-6850	
38	DATA PROCESSING	15271	24565	32143	41200	38000		-3200	
39	STATE REIMBURSEMENT	116265	100342	96471	105050	105250		200	
40	EQUIPMENT	564466	509870	402259	429011	409431		-19580	
41	OTHER EXPENSE	98804	400	555	9400	900		-8500	
42	LICENCE FEES	93	1087	733	190	190		0	
43									
44	TOTAL EXPENDITURES	11750201	12708400	13540728	14620971	15438944		817973	
45									
46									
47	COMMENTS:								
48									
49	* THE FTE CEILING OF 332.24 IS BEING MET. THE ADDITIONAL 8 FTE AUTHORIZED FOR FY 91 ARE								
50	3 CONSERVATION OFFICERS UTILIZING INCREASED RECEIPTS FROM THE SALE OF OUT OF STATE DEER								
51	AND TUKEY LICENSES AS WELL AS 5 POSITIONS TO ACCOMPLISH THE FEDERALLY FUNDED								
52	MISSISSIPPI MONITORING PROJECT.								
53									
54	**FACILITY MAINTENANCE DECREASES DUE TO DECREASE IN CONDITION 5 PROJECTS FOR FY 91.								
55									

NATURAL RESOURCES, DEPARTMENT OF
NATURAL RESOURCES
NATURAL RESOURCES DEPARTMENT OPERATIONS

91001542G72 9000
WASTE MANAGEMENT AUTHORITY

BASE BUDGET DESCRIPTION:

Provides for basic operations of the Waste Management Authority Division in promoting effective and environmentally safe management alternatives for solid, hazardous and low-level radioactive waste through public education efforts, work with local governments, public and private agencies, and long-range planning.

23

BUDGET WORKSHEET — WASTE MANAGEMENT AUTHORITY DIVISION

DEPT PRIOR	DIV	DIV PRIOR	DESCRIPTION	TOTAL	#FTE	GEN FUND	FISH & GAME	OTHER
35	9000	1	PROVIDE ADDITIONAL TECHNICAL EDUCATIONAL & PROMOTIONAL CAPABILITIES ASSOCIATED WITH IMPLEMENTATION OF RECYCLING PROGRAMS	242500	6.00	0	0	242500

This package would fund six additional FTE's (Program Planner I's) plus increased funding for public education/outreach in promoting proper and safe management alternatives for solid and hazardous waste. As a part of Iowa's waste reduction and recycling efforts, we are required to establish and promote a recycling network, promote the creation of markets for recycled materials and procurement of products with recycled content, establish recycling programs for polystyrene foam products, develop alternatives for white goods, waste oil, and refrigerant, and develop a waste tire abatement program. In addition, an information/education effort regarding infectious waste is to be conducted, as well as a compilation of an inventory of infectious waste generated. Records on hazardous waste must be compiled and maintained for preparation of the state Capacity Assurance Plan (CAP) required by U.S. EPA and recycling activities by hazardous waste generators must be reviewed/monitored.

Less than 7% of the 3 million tons of solid waste generated in the state is currently being recycled and few markets exist for recycled materials and products. Currently, no efforts exist for infectious waste and nothing exists for hazardous waste.

Failure to perform this work could result in failure or extreme difficulty for local recycling programs due to lack of technical assistance, public education and, most significantly, available markets. Additionally, the state could be unprepared to deal with federal infectious waste requirements and with future CAP requirements.

	A	B	C	D	E	F	G	H
1	**********							
2	WASTE MGT AUTHORITY							
3	BUDGET SUMMARY	ACTUAL 1988	ACTUAL 1989	BUDGET 1990	BUDGET 1991		INCREASE 90 TO 91	
4	JULY 1990							
5	**********							
6								
7	RESOURCES							
8							232022	*
9	FEDERAL FUNDS	0	30089	50762	282784		0	
10	GW LAND FILL ALT OOC G03	18753	55529	0	0		-45164	
11	HOUSE HOLD HAZ WSTE ADM G17	95454	128321	139654	94490		-118334	
12	SOLID WASTE/LANDFILL ALT.	0	40267	166463	48129		369729	
13	SOLID WASTE ADM G29	0	0	0	369729		-89672	
14	WASTE MGT AUTH ADM G30	85259	131717	151186	61514			
15	----------							
16	TOTAL REVENUES	199466	385923	508065	856646		348581	
17	----------							
18								
19	EXPENDITURES							
20							2.58	*
21	#FTE NO VACANCY FACTOR	11.00	11.00	11.17	13.75		.00	
22	#FTE CEILING	N/A	N/A	11.00	11.00		1.75	
23	#FTE ACTUAL/W VACANCY FACTOR	2.08	7.49	11.00	12.75			
24							102759	
25	PERSONNEL	81663	247877	374082	476841		30000	**
26	PERSONAL TRAVEL	7865	20015	22000	52000		10175	
27	OFFICE SUPPLIES	9732	12710	7325	17500		4500	
28	OTHER SUPPLIES	7988	2556	7000	11500		-2688	
29	PRINTING	45552	41652	55188	52500		192655	**
30	PROF/SCIEN SERVICES	0	4000	0	192655		17700	
31	OUTSIDE SERVICES	87	5288	6000	23700		-1600	
32	DATA PROCESSING	171	2630	6000	4400		250	
33	STATE REIMBURSEMENT	29423	12458	12200	12450		-5270	
34	EQUIPMENT	16985	36737	18270	13000		100	
35	LICENCE FEES	0	0	0	100			
36	----------							
37	TOTAL EXPENDITURES	199466	385923	508065	856646		348581	
38	**********							
39	COMMENTS:							
40								
41	* THE FTE CEILING OF 11 FTE IS BEING EXCEEDED BY 2.75 FTE. THE NEW POSITIONS ARE							
42	FOR THE PREPARATION OF THE FEDERALLY FUNDED CAPACITY ASSURANCE PLAN.							
43								
44	**THE INCREASED TRAVEL IS FOR PREPARATION OF THE CAPACITY ASSURANCE PLAN. THE ADDITIONAL							
45	PROFESSIONAL & SCIENTIFIC SERVICE COSTS ARE ALSO FOR CAPACITY ASSURANCE AS WELL AS							
46	2 OTHER FEDERALLY FUNDED PROJECTS. IMPLEMENTATION OF A COMMUNICATIONS NETWORK FOR RECYCLING							
47	MARKETS & PREPARATION OF INFORMATION & EDUCATION MATERIALS FOR THE HOUSEHOLD HAZ WASTE							
48	PROGRAM.							
49	**********							

BUDGET WORKSHEET

DEPT PRIOR	DIV	DIV PRIOR	DESCRIPTION	TOTAL	#FTE	GEN FUND	FISH & GAME	OTHER
1	OTHER	1	PROVIDE IN ADDITION TO HOUSEHOLD HAZ WASTE RECIPTS ADDITIONAL FUNDING TO HOLD TOXIC WASTE CLEANUP DAY SESSIONS.	400000	.00	400000	0	0
2	OTHER	1	PROVIDE FOR IN ADDITION TO AG MGT ACCOUNT RECEIPTS ADDITIONAL FUNDING TO COUNTIES TO PLUG ABANDONED WELLS.	300000	.00	300000		
			TOTAL					
1	0043	1	RESTORE TOPOGRAPHICAL & RELATED MAP PRODUCTS TO FY 91 LEVELS.	32000	.00	32000		
2	0043	2	RESTORE SEDIMENT MONITORING STATIONS TO THE 91 LEVEL.	14500	.00	14500		
1	0010	1	TO RESTORE STATE & LOCAL GREENTHUMB COST SHARE PROG TO FY89 LEVEL	55294	4.67			

DEPARTMENT LEVEL PRIORITY LISTING

BUDGET WORKSHEET

DEPT PRIOR	DIV PRIOR	DESCRIPTION	TOTAL	#FTE	GEN FUND	FISH & GAME	OTHER	
								100000MFT
1	4000	1 RESTORE WILDCAT DEN/FAIRPORT, BEEDSLK, BELLEVUE, LK DARLING, AND LK KEOMAH TO FY 91 LEVELS	460699	10.00	360699			
2	5000	1 RESTORE PROFESSIONL FORESTRY MGT ASSISTANCE TO LANDOWNERS BY RESTORING THREE DISTRICT OFFICES SERVING 30% OF THE STATE	160521	3.00	160521			
3	7000	1 RESTORE WATER WITHDRAWAL PROG BY PROVIDING FOR STATE SUPERVISION OF WATER USE ACTIVITIES.	135146	3.00	135146			
4	8000	1 TO RESTORE FISH,WILDLIFE & ENFORCEMENT RESEARCH & OPERATIONS ACTIVITIES TO 80% OF 91 LEVEL	957214	19.80		957214		
5	6200	1 RESTORE MICROSCOPIC ANALYSIS & DESCRIPTION OF DRILL SAMPLES FROM PRIVATE, MUNICIPAL, AND INDUSTRIAL WELLS.	44177	1.00	44177			
6	3000	1 RESTORE ADMINISTRATIVE SUPPORT TO 95% OF FY91 STAFF LEVEL.	429354	9.00	257612	171742		
7	2000	1 RESTORE LEGAL SUPPORT TO FY 91 LEVEL OF EFFORT.	50463	1.00	30278	20185		
8	8000	2 RESTORE RATHBUN HATCHERY TO 91 LEVEL RESTORE FISH, WILDLIFE, RESEARCH AND OPERATIONS ACTIVITIES TO 90% OF 91 LEVEL.	1010618	21.85		1010618		
9	4000	2 RESTORE MAQUOKETA CAVES, MINES OF SPAIN, PILOT KNOB,PRAIRIE ROSE & ROCK CREEK TO FY 91 LEVELS.	372442	7.00	372442			
10	7000	2 TO RESTORE FLOODPLAIN PROG BY PROVIDING FOR STATE SUPERVISION OF FLOOD PLAIN CONST ACTIVITIES	422219	9.00	422219			
11	7000	3 RESTORE WATER SUPPLY PERMIT REVIEW TURNAROUND TIME TO 91 LEVELS.	120626	3.00	30157		90470	
12	3000	2 RESTORE ACCOUNTING & DATA PROCESSING SERVICES TO 90% OF FY91 LEVEL.	287207	6.00	172324	114883		
13	3000	3 RESTORE CONSTRUCTION SERVICES TO THE FY91 LEVEL. PROVIDES DESIGN & CONTRACT ADMIN OF	656981	15.00			656981	

			DNR DEVELOPMENT & RENOVATION PROJECTS. TRANSFER FUNDING TO CAPITAL ACCOUNTS.					
14	4000	3	RESTORE A.A.CALL, WAPSIPINICON, WAUBONSIE, WILSON ISLAND, & VOLGA TO FY 91 LEVELS	323839	5.00	323839		
15	8000	3	RESTORE FISH,WILDLIFE AND ENFORCEMENT RESEARCH AND OPERATIONS ACTIVITIES TO 95% OF 91 LEVEL	916464	19.60		916464	
16	3000	4	RESTORE LAND ACQUISITION TO THE FY 91 LEVEL PROVIDING FOR APPRAISAL NEGOTIATION & RELOCATION ACTIVITIES ASSOCIATED WITH ACQUIRING RECREATIONAL/ PRESERVE/FISH & WILDLIFE LAND. FUNDING SHIFTED FROM GF TO CAPITAL FUNDS.	210300	4.00			210300
17	6200	2	RESTORE SOILS & SEDIMENTS STUDIES & INVESTIGATIONS RESEARCHING THE SUSCEPTIBILITY OF GROUNDWATER TO CONTAMINATION.	53860	1.00	53860		
18	6200	3	RESTORE DRILL SAMPLE PROCESSING & TRACKING, FIELD EQUIPMENT MAIN/REPAIR & MAP/ PUBLICATIONS CATALOGING.	116055	3.00	116055		
19	5000	2	RESTORE YELLOW RIVER,TO 90% AND STEPHENS & LOESS HILLS STATE FORESTS TO 100% OF FY91 LEVELS	124274	4.00	124274		
20	6200	4	RESTORE DRILLING PROGRAM BY PROVIDING FOR CONTINUED WATER QUALITY/QUANTITY INVESTIGATIONS & RELATED GEOLOGICAL INFO.	88597	2.00	88597		
21	3000	5	RESTORE ACCOUNTING & LICENSING FULL TIME POSITIONS & SUPPORT TO FY 91 LEVELS.	85209	3.00	51125	34084	
22	8000	4	TO RESTORE FISH,WILDLIFE & ENFORCEMENT RESEARCH & OPERATIONS ACTIVITIES TO 91 LEVEL	1008454	32.37		1008454	
23	5000	3	RESTORE YELLOW RIVER & SHIMEK STATE FORESTS TO 100% OF FY 91 LEVELS	93762	3.00	93762		
24	5000	4	RESTORE FARM FORESTRY PROG TO 100% OF FY91 LEVEL.	79923	2.00	79923		
25	4000	4	RESTORE FUNDING TO MAINTAIN THE STATE PARK TRAIL SYSTEM	75000	.00	75000		
26	6200	5	RESTORE ANALYSIS OF SOILS & SEDIMENTS NEEDED AS DATA BASE	51165	1.00	51165		

			FOR SITING LANDFILLS, HAZ WASTE STORAGE FACILITIES & LOCATING SAND GRAVEL STONE ETC FOR CONSTRUCTION PROJECTS					
	27	3000	6 RESTORE BUDGET & GRANTS & DATA PROCESSING TO 91 LEVELS ALLOWING FOR LOCAL RECREATION GRANT PROCESS-PROCESSING ACTIVITIES & CONTINUATION OF INFORMATION PROCESSING ACTIVITIES	172388	4.00	103433	68955	
	28	3000	7 RESTORE ADM SUPPORT TO 91 LEVEL.	74390	3.00	44634	29756	
	29	2000	2 RESTORE PLANNING STAFF TO MAINTAIN THE STATEWIDE COMPREHENSIVE OUTDOOR RECREATION PLAN AND PROVIDE IMPACT ANALYSIS OF DNR POLICIES.	99846	2.00	59908	39938	
	30	2000	3 RESTORE PERSONNEL FOR NEWS LETTER/RADIO/TV SPOT PRODUCTION.	129922	3.00	77953	51969	
	31	2000	4 RESTORE FIELD INFO & EDUCATION ACTIVITIES TO FY 91 LEVEL.	72622	2.00	43573	29049	
	32	2000	5 RESTORE ADM ASST TO LEGAL TO PROVIDE PROJECT TRACKING AND MONITORING ACTIVITIES FOR THE SECTION.	33746	1.00	20248	13498	
	33	2000	6 RESTORE GRAPHIC SUPPORT FOR TECHNICAL REPORT & BROCHURE PRODUCTION ACTIVITIES.	51489	1.50	30893	20596	
	34	2000	7 RESTORE ENVIRONMENTAL MEDIATION TRAINING TO LEGAL STAFF TO ENHANCE NATURAL RESOURCE ISSUE DISPUTE RESOLUTION. INCREASES.	17000	.00	10200	6800	
	35	9000	1 PROVIDE ADDITIONAL TECHNICAL EDUCATIONAL & PROMOTIONAL CAPABILITIES ASSOCIATED WITH IMPLEMENTATION OF RECYCLING PROGRAMS	242500	6.00	0	0	242500
	36	7000	4 PROVIDE FOR ADDITIONAL WATER SUPPLY CONTAMINANT MONITORING & REGULATION. PARAMETERS REGULATED AND MONITORED HAVE INCREASED 6 FOLD SINCE FY90.	200000	6.00	200000		
	37	7000	5 ENHANCE THE DEPT'S ABILITY TO CONDUCT DETAILED ASSESSMENTS & EVALUATIONS OF IOWAS SURFACE WATER STREAMS & RIVERS.	575000	5.00	575000		
	38	7000	6 PROVIDE FOR IMPLEMENTATION OF AN ON-GOING AIR QUALITY TOXICS MONITORING, PERMITTING & INSPECTION PROGRAM.	850000	7.00	850000		

DEPARTMENTAL LEVEL PRIORITY LISTING

196	39	7000	7	PROVIDE FOR IMPLEMENTATION OF A STATEWIDE GROUNDWATER MONITORING PROGRAM CONSISTING OF 615 FIXED STATION LONG TERM MONITORING WELLS.	600000	1.00	600000		
201	40	7000	8	PROVIDE FOR IDENTIFICATION & CLEANUP OF ABANDONED/UNCONTROLLED HAZ WASTE SITES NOT ON THE FED PRIORITY LISTING & THEREFORE NOT COVERED BY EXISTING FED FUNDING.	145000	3.00	145000		
207	41	7000	9	PROVIDE A TRAINING PROGRAM ON EMERGENCY RESPONSE TECHNIQUES TO ENSURE LOCAL RESPONSE PLANS & PROCEDURES ARE UP TO DATE.	70000	2.00	70000		
212	42	4000	5	PROVIDE FUNDS FOR REPLACEMENT OF SUCH ITEMS AS PICINIC TABLES FIRE RINGS, GRILLES, FIRE PITS ETC IN ORDER TO MAINTAIN PARK FACILITIES.	58000	.00	58000		
218	43	7000	10	PROVIDE ADDITIONAL SUPERVISORY PERSONNEL FOR OVERSITE OF SOLID WASTE ACTIVITIES.	40000	1.00	40000		
222	44	7000	11	PROVIDE FOR THE RELOCATION OF THE WALLACE BLDG BASED REGIONAL OFFICE DUE TO SPACE SHORTAGE RESULTING FROM PROGRAM STAFFING	14000	.00	14000		
227	45	8000	5	UTILIZE INCREASED FEDERAL FUNDS TO EXPAND THE MISSISSIPPI MONITORING PROGRAM	100000	3.00		100000	
231	46	3000	8	PROVIDE FOR 2 ADDITIONAL STAFF TO ADDRESS INCREASED OFFICE MGT AND ACCOUNTING DUTIES ASSOCIATED WITH ENVIRONMENTAL PROG INCREASES.	42000	2.00	25200	16800	
236	47	3000	10	PROVIDE FOR ADMINISTRATIVE COST INCREASES FOR VEHICLE OPERATION & DEPRECIATION AS WELL AS POSTAGE/TELEPHONE & AUDIT COSTS.	135000	.00	81000	54000	
242	48	5000	5	PROVIDE ADDITIONAL FUNDS FOR STAFF & SUPPORT TO ADM REAP FORESTRY COST SHARE PG & NEW FED FOREST STEWARDSHIP PG.	148225	3.00	74113		74113 3 MORE IN 93 260K TTL
247	49	5000	6	PROVIDE STAFFING & SUPPORT FOR NEW RURAL REVITALIZATION THROUGH FORESTRY PG. INCREASING FORESTRY	50500	1.00	25250		25250
		D		RELATED BUISINESS GROWTH IN IOWA.					
253	50	5000	7	PROVIDE ADDITIONAL STAFF & SUPPORT TO INCREASE FORESTRY EFFORTS ON NEW REICHELT & LOESS HILLS LAND AQUISITIONS.	53800	2.00	53800		

DEPARTMENT LEVEL PRIORITY LISTING

								13000
51	5000	8	PROVIDE ADDITIONAL EXTRA HELP TO THE NURSERY TO ADDRESS INCREASED DEMAND FOR NURSERY STOCK.	13000	1.00			
52	6200	6	PROVIDE COMPUTER WORK STATION & COMMUNICATION EQUIP TO REPLACE OUTDATED EQUIP. ENHANCING REMOTE SENSING INFO PROCESSING AT A LOWER ANNUAL MAINT COST.(-20K)	60000	.00	60000		
53	3000	9	PROVIDE FOR IMPROVED RECORDS MGT CAPABILITY THROUGH THE PURCHASE OF ADDITIONAL FILING EQUIP & OPTICAL SCANNING EQUIP.	200000	.00	200000	93 ONLY	
54	5000	9	PROVIDE ADDITIONAL STAFF & SUPPT TO ADDRESS PROGRAM EXPANSIONS WHICH HAVE OCCURRED OVER THE SEVERAL YEARS.	44000	1.00	44000	93 ONLY	
55	5000	10	PROVIDE ADDITIONAL STAFF & SUPPT TO STEPHENS STATE FOREST TO ADDRESS EXPANDED FOREST MGT ACTIVITIES IN ADDITION TO AREA MAINTENACE FUNCTIONS.	20500	1.00	20500	93 ONLY	

	Total	FTE	G. F	F/W	Other
TOTAL PKGS	12647497	250.12	6569880	4665005	1412613
BASE AMOUNT	41146754		10087544	13283963	17775247
TOTAL REQUEST	53794251	250.12	16657424	17948968	19187860
91 APPROPRIATION	49759560		13773491	18135066	17851003

FY92 CAPITAL PROJECTS IN PRIORITY ORDER

Rank	Program	Area	Project Description	Budget
1	REAP	Brushy Creek	Land Acquisition	400,000
2	MFT	Brushy Creek	Brushy Creek Dam (See REAP)	650,000
	REAP	Brushy Creek	Dam Construction	2,800,000
3	REAP	Statewide	Land Acquisition, General	2,040,000
4	REAP	Statewide	Public/Private 75% Grants	840,000
5	REAP	Statewide	PWA Acquisition	420,000
6	FW	FW Areas	Habitat Acq (Stamps)	680,000
7	REAP	Loess Hills	Forest Land Acquisition	400,000
8	FW	FW Areas	Lake and Stream Land Acq.	640,000
9	MFT	Statewide	Water Access Acquisition	250,000
10	MFT	Blackhawk Lake	Dredging and Related	1,600,000
11	REAP	Pine Lake	In-Lake Renovation	500,000
12	REAP	Lake Ahquabi	Lake Renovation Design	75,000
13	REAP	Lake Wapello	Lake Restoration	400,000
14	REAP	Brushy Creek	Facility Development	400,000
15	REAP	Mines of Spain	Facility Development	335,000
16	REAP	Loess Hills	Visitor Center	100,000
17	REAP	Maquoketa Caves	Facility Redevelopment	250,000
18	REAP	Volga River	Facility Development	335,000
19	REAP	Lake Sogema	Parking/Roads & Fences	100,000
20	GF	Oakdale	Geological Storage	115,000
21	REAP	Park/Rec Areas	Trail Renovation	200,000
22	REAP	Park/Rec Areas	Maintenance Projects	300,000
23	REAP	FW Areas	Maintenance Projects	300,000
24	REAP	Forest Areas	Maintenance Projects	100,000
25	REAP	Statewide	Boundary Ident/Surveys	75,000
26	REAP	Park/Rec Areas	Playground Equipment	100,000
27	MFT	Statewide	Boating Facility Development	500,000
28	FW	Rathbun	Fish Research Facility	440,000
29	REAP	Lake Darling	Water/Sewer Renovation	200,000
30	GF	Fairgrounds	Design/Initial Work	75,000
31	REAP	Ed Center	Restrooms, Handicapped	130,000
32	REAP	Viking Lake	Beach Bldg	120,000
33	REAP	Backbone	Shower and Toilet Bldg	135,000
34	REAP	Pikes Peak	Office and Service Bldg	100,000
35	REAP	Pine Lake	Cabin Renovation	120,000
36	REAP	Pine Lake	Beach Bldg	135,000
37	REAP	Red Haw	Service and Office Bldg	100,000
38	REAP	Prairie Rose	Office and Service Bldg	100,000
39	REAP	Fort Defiance	Office and Service Bldg	100,000
40	REAP	Lake Darling	Residence	80,000
41	REAP	Springbrook	Residence	80,000
42	FW	Statewide	Fishing Riffles	120,000
43	REAP	George Wyth	Public Facilities, Expansion	250,000
44	REAP	Lake Macbride	South Campground Development	200,000
45	REAP	Lake Macbride	Office Bldg	100,000
46	REAP	Bellevue	Pit Latrines	60,000
47	REAP	Clear Lake	Modern Latrine	60,000*
48	REAP	Backbone	Lagoon and Latrine	60,000*
49	REAP	Geode	Pit Latrines	60,000*
50	REAP	Lacey Keosauqua	Waterline	100,000*
51	REAP	Stone	Sewer Line	200,000*
52	REAP	Springbrook	Cabins, Renovation Electrical	50,000*
53	REAP	Stone	Campground Electric	50,000*
54	REAP	Pine Lake	Water System	75,000*
55	REAP	Prairie Rose	Water Supply	200,000*
56	REAP	Waubonsie	Campground Electric	60,000*

FY92 CAPITAL PROJECTS IN PRIORITY ORDER

Rank	Program	Area	Project Description	Budget
57	REAP	Lake of Three Fires	Beach Bldg	50,000 *
58	REAP	Springbrook	Retaining Walls/Steps	80,000 *
59	REAP	Springbrook	Group Camp Remodel	250,000 *
60	FW	Big Creek	Shooting Range Water	74,000
61	C.Five	Saylorville Unit	Storage Bldg	50,000
62	FW	Lake Macbride	Fishing Pier	70,000
63	FW	Wapello Unit	Residence	90,000
64	REAP	Lake 3 Fires	Rural Water Hookup	100,000 *
			Total:	19,229,000

* MOVE TO FY93

FY93 CAPITAL PROJECTS IN PRIORITY ORDER

Rank	Program	Area	Project Description	Budget
1	MFT	Brushy Creek	Brushy Creek Dam (See REAP)	900,000
1	REAP	Brushy Creek	Dam Construction	1,975,000
2	REAP	Statewide	Land Acquisition, General	2,145,000
3	REAP	Statewide	Public/Private 75% Grants	840,000
4	REAP	Statewide	PWA Acquisition	420,000
5	FW	FW Areas	Habitat Acq (Stamps)	680,000
6	REAP	Loess Hills	Land Acquisition	400,000
7	FW	FW Areas	Lake and Stream Land Acq.	666,000
8	MFT	Statewide	Water Access Acquisition	250,000
9	REAP	Lake Ahquabi	Lake/Dam Renovation	750,000
10	REAP	Brushy Creek	Facility Development	1,000,000
11	REAP	Mines of Spain	Facility Development	500,000
12	REAP	Loess Hills	Day Use Area Development	80,000
13	REAP	Maquoketa Caves	Facility Redevelopment	200,000
14	REAP	Volga River	Facility Development	500,000
15	REAP	Deer Creek	Dam Construction	640,000
16	REAP	Blackhawk Lake	Marsh Development	190,000
17	REAP	Park/Rec Areas	Trail Renovation	200,000
18	REAP	Park/Rec Areas	Maintenance Projects	400,000
19	REAP	FW Areas	Maintenance Projects	350,000
20	REAP	Forest Areas	Maintenance Projects	120,000
21	REAP	Statewide	Boundary Ident/Surveys	75,000
22	REAP	Nine Eagles	Water Supply	200,000
23	MFT	Statewide	Boating Facility Development	500,000
24	REAP	Lake Keomah	Service Bldg Renovation	100,000
25	REAP	Wildcat Den	Service Bldg Renovation	100,000
26	REAP	Red Haw	Residence Renovation	80,000
27	REAP	Backbone	Beach/Lake Improvements	200,000
28	REAP	Montrose Nursery	Latrine/Office Facilities	75,000
29	REAP	Ames Nursery	Cold Storage Expansion	90,000
30	MFT	Little Wall Lake	Restoration Design	80,000
31	REAP	Wildcat Den	Mill Restoration	450,000*
32	REAP	Backbone	Shelter Renovation	60,000*
33	REAP	Elk Rock	Shelter Renovation	50,000*
34	REAP	Bob White	Shelter Renovation	50,000*
35	REAP	Honey Creek	Beach Facility	150,000*
36	REAP	Park/Rec Areas	Picnic Shelters (New)	125,000*
37	REAP	Pleasant Creek	Residence	95,000*
38	FW	Riverton	Controlled Hunting Bldg	50,000
39	FW	Big Marsh	Service Bldg	100,000
40	GF	Fairgrounds	Bldg/Ag Renovation	270,000
41	REAP	Wilson Island	Modern Latrine	75,000*
42	REAP	Lake Macbride	Modern Latrine and Lagoon	75,000*
43	REAP	Ed Center	Sewage Lagoons	100,000*
44	REAP	Lake Ahquabi	Group Camp Renovation	150,000*
45	REAP	Gull Point	Lodge Renovation	50,000*
46	REAP	Beeds Lake	Shower and Toilet Bldg	135,000*
47	REAP	Lewis and Clark	Shower and Toilet Bldg	135,000*
48	REAP	George Wyth	Shower and Toilet Bldg	135,000*
49	REAP	Clear Lake	Lodge Renovation	50,000*
50	REAP	Lake Ahquabi	Beach Facility Renovation	150,000*
51	REAP	Goose Lake	Dike & Control Structure	500,000*
52	FW	Boone Research	Office Bldg Replacement	375,000*
53	REAP	Park/Rec Areas	Cabin Replacement	200,000*
54	REAP	Prairie Rose	Modern Latrine	57,000*
55	REAP	Yeager Slough	Dike & Control Structure	50,000*
56	REAP	Preparation Canyon	New Campground	150,000*
			Total:	18,493,000

* moved to FY94

Mr. Kuhn presented an overview of the FY 92-93 Budget Request and asked for approval of the decision package priorities for the support divisions as well as for the divisions (EPD and WMA) under the purview of the EPC Commission. He related that approval is also asked for concurrence in the departmentwide priority listing.

Motion was made by Margaret Prahl to approve the decision package priority listing for the support divisions, the Environmental Protection Division and the Waste Management Authority Division as presented. Seconded by Rozanne King.

Discussion followed regarding division priority #7 on page 18, and whether or not this priority should be placed higher on the list.

It was the Commission's feeling that division priority #7, a provision for implementation of a statewide groundwater monitoring program, be given top priority in the division priorities package as well as in the departmentwide package.

Mr. Kuhn explained the budget process and the priority system on a division basis as well as a departmentwide basis.

Motion was made by Margaret Prahl to amend her motion by adding that division priority #7, on page 18, be moved ahead of division priorities #5 and #6. Seconded by Gary Priebe.

Discussion followed regarding the possibility of moving specific division priorities ahead of departmentwide priorities #32 and #33.

Mr. Kuhn explained that departmentwide priorities 1 - 34 are all restorations to bring the department back to the current budget level. He noted that if that type of change is made the department would have to explain why a new program is being given higher priority than an existing program. He added that the Department of Management and the Governor's office is reluctant to do that. A lengthy discussion took place regarding the importance of division priority #7 and its ranking on the division and departmentwide priority lists. Discussion also took place regarding the Fish and Wildlife Trust Fund, where these funds come from and how they are spent.

Director Wilson stated that a lot of emphasis has been put on groundwater quality, but it should be pointed out that surface water quality needs more attention and that is the reason the division ranked it above the groundwater monitoring priority. Allan Stokes explained how interrelationships are looked at in development of the budget and he expanded on same.

Chairperson Mohr requested a roll call vote on Commissioner Prahl's amended motion to move division priority #7 ahead of division priorities #5 and #6. "Aye" vote was cast by

Commissioners Earley, King, Prahl, Priebe, Siebenmann, and Mohr. "Nay" vote was cast by Commissioner Yeager. Motion carried on a vote of 6-Aye to 1-Nay.

Vote on Commissioner Prahl's motion to approve the decision package priority listing for the support divisions, the Environmental Protection Division and the Waste Management Authority Division carried unanimously.

Nancylee Siebenmann suggested that Commission concerns about groundwater monitoring as a priority of the Commission be included in the preamble to the legislative package this year. She feels it is important to make the concerns of the Commission known on this subject.

Mr. Kuhn asked that the Commission also concur on the departmentwide priority listing.

Motion was made by Margaret Prahl to concur with the departmentwide priority listing as presented. Seconded by Gary Priebe.

Margaret Prahl commented that while the Commission does concur with the proposals as drafted, she is concerned with the reference to the Fish and Wildlife Trust Fund and its pending deficit shown in the third paragraph from the bottom, on page 3, of the agenda item brief. She related that she would like to add a very strong objection to any deficit in the Fish and Wildlife Trust Fund coming from any solid waste, waste management, or environmental protection programs.

Motion was made by Margaret Prahl to amend her motion to add a request that if a deficit in Fish and Wildlife Trust Fund occurs it will not take funds from any of the solid waste, waste management, or environmental protection programs that are in the Environmental Protection Commission's priorities. Seconded by Gary Priebe.

Director Wilson explained that the Fish and Wildlife Division will not go shopping in waste management fees, oil overcharge money, etc., to pick up dollars to run fish and wildlife programs. He added that they will have to find another source of supplemental funds or some general fund money from the legislature to keep operating at the current level, or they will have to cut back their programs.

Vote on Commissioner Prahl's amendment carried unanimously.

Vote on Commissioner Prahl's motion to concur with the departmental priority listing carried unanimously.

Mr. Kuhn noted that on page 26, the following two decision packages are listed that are not in the Operations Budget: 1) to increase the Household Hazardous Waste funding by $400,000,

and 2) to increase the funding to plug abandoned wells. He stated that he would like the Commission's endorsement on these programs.

Motion was made by Rozanne King to approve the two decision packages as shown on page 26, to increase the HHM funding by $400,000 and to increase the funding to plug abandoned wells. Seconded by Nancylee Siebenmann. Motion carried unanimously.

APPOINTMENT - ED KISTENMACHER

Ed Kistenmacher, Petroleum Marketers of Iowa, addressed the Commission stating that he met with department staff to discuss the issues of concern he had with the UST closure rules. He related that he and staff disagreed on two of the issues and came to agreement on one issue. Mr. Kistenmacher stated that he would like to see amendments in the rule to put a limit on how far to drill for water when removing a tank or repairing a contaminated site. Secondly, he asked the Commission to adopt an amendment that would strike the provision that samples be taken prior to overexcavation. In his final request, he stated that he supports every 100 feet scrutiny in an obviously contaminated area, but asked that they not be required to sample the entire excavation area.

APPOINTMENT - ROBB HUBBARD

Robb Hubbard, Administrator, Iowa Underground Storage Tank Program, presented the following statement:

Land Farming

In the 1990 Legislation Session, the legislature under HF2552 concurred with the concept of land farming to the extent that soils contaminated by hydrocarbon releases do not need to be registered with the County or be shown on the title. The legislature directed DNR to establish rules which would "allow" this process.

During hearings and in writing, the UST Board commented on several points in the proposed rules.

1) Analytical Results

The results of testing should be provided by the owner/operator on soils to be land farmed. It is not realistic to require land owners to have that requirement. Testing is a duplication and an additional expense both on the land owner and UST

program, especially given present DNR closing standards. Enough testing is already being completed.

2) Topographic Map

It is an unreasonable restraint on the land owner to require a separate map along with drawings of that property and the UST site. A land owners affidavit should be sufficient. Under UST program procedures under development, to land farm, several pieces of data are required to be verified by the contractor delivering soils:

1) that the 7 DNR restrictions can be met. This would be completed independently and prior to receipt of soil and;

2) that soil sample results or HNU readings be provided to the land owner.

Requirements outlined delay the ability to land farm.

These two requirements should be removed.

Closing Standards

Groundwater

The Federal EPA considers groundwater to be within 20 feet of the surface. It has been recognized that groundwater wells can be a conduit for contamination to follow. We recommend the EPC require water wells be dug to a maximum depth of 45 feet, with a soil sampling required at five feet intervals to that point if groundwater is not found. If rock is hit before that depth, then DNR should have the flexibility to require deeper probes.

The groundwater contamination issue is serious. We acknowledge in a percentage of cases that groundwater below 45 feet could be found. However, that percentage is small.

Drilling wells cost around $7.50 to $10.00 per foot, plus setup. A well 100 feet deep costs $8,000+ to dig. We believe that the cost does not justify the concern generated.

Soil

Requiring soil tests every 10 cubic feet is unreasonable. The UST Board has prohibited overexcavation without approval if the soil is contaminated beyond several feet of tanks and pipes because of the expense. That limit is $10,000.

Contractors on site with HNU and OVA's can determine if contamination is a problem. Independent tests should be confined to several underneath the tank, and not beyond, since

overexcavation is being restricted, until a site assessment is performed.

Mr. Hubbard expanded on each of these issues and noted that in regards to the land farming rules it would make sense to defer any final agency action until after federal rules come out on September 18.

Discussion followed.

PUBLIC PARTICIPATION

Chairperson Mohr announced Public Participation at 3:05 p.m.; no one requested to speak.

SOLID WASTE DISPOSAL IN IOWA

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Environmental Protection Commission requested a briefing on the volume of solid waste which is imported and exported into and from the state.

The state currently exports a large portion of the hazardous waste generated in the state. The figures presented have been compiled from the state Capacity Assurance Plan.

The state is currently importing and exporting a fair amount of municipal solid waste. Importation and exportation is common practice in the counties along the Iowa border. The data presented has been compiled from the Sanitary Disposal Project Comprehensive Plans which have been submitted to the department for review. There is no evidence of importation of solid waste in any Iowa county which is not a border county.

Currently the state exports all of its' hazardous waste except a small quantity which is generated and treated at the John Deere Plant in Waterloo. The exact volumes of waste exported are hard to determine with precision For hazardous waste, the following data has been compiled from the Iowa Capacity Assurance Plan:

Hazardous Waste - Exports

Actual 1987	32,0 00	ton/year
Projected 1989	34,0 00	"
" 1995	40,0 00	"
" 2009	44,0 00	"
Total Exports	1 50,0 00	ton/year

Hazardous Waste - Imports

Actual 1987	5000 (4500 ton from WI and 500 ton from IL) ton
Projected 1989	0
" 1995	0
" 2009	0
Total Imports	5000 ton

The state is heavily dependent upon exportation of it's hazardous waste as indicated by the previous data.

The state does have access to information concerning the export and import of solid waste. The Waste Management Authority Division of the department require a Comprehensive Plan to be filed for every sanitary disposal project in Iowa. The following figures have been compiled from the Comprehensive Plans already submitted to the department:

Solid Waste - Imports

Decatur County	1,848 tons/year	from Harrison Co., MO
Woodbury County (Sioux City)	2 - 5 tons/year	from South Dakota
Winnebago County	41,995 tons/year	from Freeborn Co., MN
	14,642 "	from Faribault Co., MN
	7,692 "	from Jackson Co., MN
	23,249 "	from Martin Co., MN
	69,839 "	from Mower Co., MN
	14,424 "	from Waseca Co., MN
Winneshiek County	3,000 tons/year	from Fillmore Co., MN
	1,750 "	from Houston Co., MN
	3,209 "	from LaCrosse, WI
	3,742 "	from Crawford, WI
	5,320 "	from private industry

Lee County	no data on tonnage from Hancock Co., IL
Total Imports	190,715 ton/year

The other bordering Iowa counties do not allow waste to be imported.

Solid Waste - Exports

City of Council Bluffs	36,057 tons/year	
Muscatine County	some waste goes to ESG Watts in IL but no volume data has been received	
Scott County	some waste goes to BFI in IL no volume data	"
Henry County	"	
Woodbury County	1989	18,000 tons/year to LP Gill in NE
	1990	22,000 " "
Total Exports		76,057 ton/year

It is important to note that allowing importation of waste into the state is The US Supreme Court has ruled that solid waste disposal is included in the free commerce clause of the constitution, therefore it is unconstitutional for a state to deny importation of solid waste. It is also important to note that a successful waste management program must strive to balance exports and imports of waste, therefore allowing the most efficient disposal methods available.

The state currently does not have any data indicating the volumes of medical waste imported or exported. Iowa does not have a tracking system specific to medical waste. If the medical waste is disposed in a sanitary landfill in Iow it must have a Special Waste Authorization. The state then has a way to monit the volume of waste disposed, otherwise the information is not readily available.

Mr. Stokes stated that there were numberical errors on the attachment to the agenda brief in the listing of Hazardous Waste Exports. He displayed overhead charts showing correct figures for annual solid waste and hazardous waste imports and exports for Iowa.

Discussion followed.

This was an informational item; no action was required.

ASPHALT AND TIRE DISPOSAL IN IOWA

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following items.

Based upon comments received from members of the public, the Environmental Protection Commission requested a review of the department's rules relative to disposal of rubble and used tires. Specifically, a member of the public questioned why waste asphalt paving was not considered and could not be handled in the same manner as "rubble." Similarly, the member of the public expressed a belief that used tires should also be used as "fill" materials along with concrete rubble and waste asphalt pavement for the purpose of filling ravines and gullies and stream bank stabilization. Staff will give a brief presentation on the departments views on this issue along with relevant environmental data.

August 17, 1990

DISPOSAL OF WASTE ASPHALT

SUMMARY

From the telephonic survey and literature search, it is apparent that little specific information is available concerning potential risks to ground and surface waters from the improper disposal of asphaltic wastes. However, given the varied chemical and physical characteristics of asphalt paving. It also appears that a potential risk of contamination exists from both hydrocarbon constituents and sediments in contact with surface and ground waters. Since asphalt waste is deteriorated and broken, the risk is increased. Iowa and the three other neighboring states recycle asphalt pavement wastes extensively. The greatest risk would be from improper disposal of small quantities of broken-up asphalt in or near surface or ground water.

HOW NEIGHBORING STATES DEAL WITH ASPHALTIC WASTE PRODUCTS

The DOT's and DNR's (or their equivalents) in Wisconsin, Minnesota and South Dakota as well as the Iowa DOT were contacted in a quick telephonic survey to gather additional information on this issue. All four states recycle asphalt on state / federal highway projects as well as on some major county (Federal Aid Secondary) road projects. South Dakota and Minnesota environmental agencies require that any asphaltic waste which is disposed by burial be handled as a construction / demolition waste and placed in a facility permitted to handle such waste, as does our Department. Wisconsin regards asphaltic waste as rubble with the exception that asphaltic wastes may not be disposed in a water of the state or the nation. All four states write environmental protection provisions into contracts for construction / repair and upgrading of state / federal roadways to include options and requirements for environmentally sound reuse or disposal of asphaltic wastes.

CHEMISTRY

Paving asphalt (also known as asphalt cement) is a black, sticky semisolid, highly viscous material. It is composed of complex hydrocarbon molecules, plus oxygen, nitrogen and sulfur atoms. Petroleum asphalt, from which most paving asphalts are made in the United States, is the base or heavy constituent of crude oil.

TYPES OF PAVEMENT ASPHALT

Paving asphalts vary tremendously in their chemical and physical composition, including the method of production. Aggregates normally constitute 90 to 95 percent and asphalt 5 to 10 percent. Paving asphalt may be modified by introducing activated carbon, polymers, sulfur or other compounds. Prior to application, paving asphalt needs to be temporarily liquified by melting, cutback or emulsification. Cutback asphalt is prepared by dissolving the asphalt in organic solvents. The organic solvents used vary from high volatiles, such as gasoline or naptha, to kerosene having a medium boiling point, to oils with high boiling points.

Emulsified asphalt used in road pavements is prepared by mixing asphalt in water with anionic or cationic emulsifying agents.

FACTORS AFFECTING POTENTIAL MOVEMENT OF ASPHALT TO GROUNDWATER

Extensive literature search reveals no specific studies related to the movement of asphalt or its constituents in and to ground water. The discussion below, while based on physical and chemical characteristics of asphalt and of soil / water environment, will require some experimental verification.

Some of the factors that can affect ground water contamination from asphalt waste disposal are:

1. Drainage

Subsurface drainage is the crucial factor in the potential ground water contamination from paving asphalt. In highway engineering, particular attention is usually given to both surface and subsurface drainage.

Water in the subgrade of a pavement is usually slow to evaporate or drain. Alternate wetting and drying, or freezing and thawing result in cracks in the subgrade through which contaminants from the pavement could move to ground water.

A porous or cracked pavement may permit rain water or melted snow to enter the structural section of a pavement and saturate various layers below the surface. Some of this moisture eventually migrates downward into the ground water, carrying with it any soluble constituents.

Where the subgrade is impermeable, water under the pavement could move laterally to adjacent, more permeable areas, from which soluble constituents could leach and migrate to ground water.

Some constituents could also move in the gaseous phase until they are in contact with ground water, which would dissolve the gasses.

2. Type of Mix

Rock-dominate mixes have a high percentage of voids. Such mixes are likely to result in contamination of ground water. This is more likely where application of the mix is followed by heavy or prolonged rainfall.

3. Chemical Composition

Some paving asphalts are prepared by adding a considerable quantity of elemental sulfur to the asphalt, in order to conserve more expensive hydrocarbons. Application of such asphalt cement usually results in the initial production of hydrogen sulfide. In the long run, the acidity under the pavement increases to such an extent to solubilize some inorganic constituents in the aggregates.

Cutback asphalts, prepared by solution in heavy oils remain in place for a long time and are potentially more likely to move down to shallow ground water than asphalts prepared with high volatiles which evaporate quickly into the atmosphere.

4. Deterioration

Depending on the amount of traffic and the climatic conditions, all pavements will eventually deteriorate as a result of:

a. Volatilization of lighter constituents from the asphalt;

b. Oxidation;

c. Action of water;

d. Action of light.

Deterioration of the pavement may release organic and/or inorganic constituents which could leach into the soil and subsequently into the ground water.

5. Moisture

All paving asphalts are more or less affected upon exposure to moisture through absorption of moisture and the gradual leaching of soluble constituents. These conditions become intensified when they are in oxidized form, as oxygenated substances seem to have a greater affinity for water than the hydrocarbons themselves. It has been found that asphaltic materials in the presence of light and oxygen are gradually converted into soluble products containing acid and ketone compounds. Over a period of time such compounds could end up in ground water.

Mr. Stokes distributed an informational sheet covering how neighboring states deal with asphaltic waste products, the chemical makeup of paving asphalt, the types of paving asphalt, and factors affecting potential movement of asphalt to groundwater.

This was an informational item; no action was required.

FINAL RULE--CHAPTER 39, REQUIREMENTS FOR PROPERLY PLUGGING ABANDONED WELLS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission is requested to approve revisions to Chapter 39 rules relating to properly plugging abandoned wells.

A public hearing on the proposed revisions was held in Des Moines on July 31, 1990. There were no attendees at the hearing, and no written or oral comments were received through that date. The notice was published on July 11, 1990.

Revisions include the addition of agricultural lime as an approved filling material in three sentences in the rule. This meets the requirements of the administrative rules review committee.

(Rule is shown on the following page)

ENVIRONMENTAL PROTECTION COMMISSION [567]
Adopted and Filed

Pursuant to the authority of Iowa Code section 455.106, the Environmental Protection Commission has adopted revisions to Chapter 39, "Requirements for Properly Plugging Abandoned Wells," Iowa Administrative Code.

The adopted amendments are designed to conform with statutory provisions relating to the use of agricultural lime. The first two items involve amendments to two sentences that were delayed by the Administrative Rules Review Committee for a period of 70 days beyond the scheduled effective date. The third item is similar.

Notice of Intended Action was published in the July 11, 1990 Iowa Administrative Bulletin as ARC 1052A. No oral or written comments were received during the comment period or at the public hearing.

There are no changes from the Notice of Intended Action.

These rules were adopted by the Environmental Protection Commission at its August 20, 1990 meeting and will become effective on October 24, 1990.

These rules are intended to implement Iowa Code Section 455B.190.

ITEM 1. Amend subrule 39.8(3), second paragraph, first sentence, to read as follows:

Filling material consisting of sand, gravel, crushed stone, or pea gravel or agricultural lime shall be placed in the bottom of the well up to four feet below the static water level.

ITEM 2. Amend paragraph 39.8(4)"a", second paragraph, first sentence, to read as follows:

Filling material consisting of pea gravel, crushed stone, or gravel or agricultural lime shall be placed from the bottom of the well up to ten feet below the bottom of the casing or confining layer, whichever is lower.

ITEM 3. Amend paragraph 39.8(4)"c", first paragraph, second sentence, to read as follows:

For the lowest aquifer, filling material consisting of pea gravel, crushed stone, or gravel or agricultural lime shall be placed from the bottom of the well up to ten feet below the bottom of the casing or confining layer, whichever is lower.

_____

Date

_____

Larry J. Wilson, Director

Mr. Stokes gave a brief explanation of the rule.

Motion was made by Gary Priebe to approve Final Rule--Chapter 39, Requirements for Properly Plugging Abandoned Wells. Seconded by Rozanne King. Motion carried uananimously.

CONSTRUCTION GRANTS PRIORITY LIST - FY 91

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

Authorization of the Environmental Protection Commission is requested to hold a hearing on a proposed Costruction Grants State Project Priority List for Fiscal Year 1991. EPA requires opportunity for annual public participation on the construction grants priority list. Iowa's list is developed by authority of DNR rule 567--91. FY 1990 was the last year for federal funding of the grant program. An FY 1990 list was previously approved. Projects remaining on the 1990 list are currently under review for grant offers and are expected to receive grants in coming months. However, should any project be delayed (due to water quality standards revisions, for example) it would need to appear on an FY 1991 priority list in order to receive a grant after October 1, 1990. The FY 1990 funds are available through FY 1991. No additional grant funds are anticipated. We are therefore proposing the attached list as the FY 1991 priority list. The fundable list consists of remaining fundable projects on the FY 1990 fundable list. It is also projected that any grant funds remaining after these projects are funded and other previously funded grant projects receive any allowable grant increases will be transferred as allowed by federal law to the state revolving fund and used for making loans.

(Construction Grants Priority List is shown on the following 9 pages)

PROPOSED

STATE OF IOWA

IOWA DEPARTMENT OF NATURAL RESOURCES

FISCAL YEAR 1991

CONSTRUCTION GRANTS STATE PROJECT PRIORITY LIST

July 27, 1990

FY 1990

CONSTRUCTION GRANTS STATE PROJECT PRIORITY LIST

CONSTRUCTION GRANTS FUNDING SUMMARY

STEP	PROJECT	ESTIMATED EPA GRANT ASSISTANCE *** FY 1990
3	Des Moines ICA (segmented)	3,351,070
3	Ames	
4	Iowa Falls	871,200
4	Winterset	1,287,000
4	Laurel */**	843,090
	FISCAL YEAR FUNDING ESTIMATE	$ 6,352,360

PROJECT STEP KEY

3 Construction

4 Combination grant for design and construction. Available only when the grant amount is less than $3 million, the project has not been segmented, and the population is under 25,000.

* Unsewered community
** Small community-alternative technology
*** Grant amount shown is the basic 55% (or 75%) grant. A project may also qualify for innovative/alternative bonus funding.

A:FY90.C/pg

FY 1990 SUMMARY OF FUNDS

I. Estimated EPA Assistance Required			
A. Estimated assistance for projects			$ 6,352,360
B. Designated reserve for grant increases			3,925,431
C. Reserve for grant increases for alternative technology	FY 1990	$ 437,618	437,618
D. Reserve for grant increases for innovative technology	FY 1989 FY 1990	$ 217,925 $ 292,002	509,927
E. Reserve for state management assistance 205(g)	FY 1989 FY 1990	$ 657,648 $ 657,648	1,315,296
F. Reserve for water quality management 205(j)(1)	FY 1989 FY 1990	$ 126,298 $ 129,779	256,077
G. Reserve for non-point source management 205(j)(5)	FY 1989 FY 1990	$ 71,298 $ 129,779	201,077
H. Reserve for advances of allowances (no need projected FY 1990)			———
Total grant needs			$12,997,786
II. FY 90 Non-additive Set-Aside Reserve Funds			
A. FY 1990 reserve for alternative systems for small communities		$ 519,116	
B. FY 1990 quota for unsewered communities		$ 648,895	
III. Available Funds			
A. Prior Years Carryover (7/01/90)			$1,143,138
B. Pending Recoveries (7/01/90)			3,135,011
C. FY 1989 Allotment Balance (4/15/90)			1,506,458
D. FY 1990 Allotment Balance (4/15/90)			7,213,179
			———
			$12,997,786

A:FY90.C/pg

FISCAL YEAR 1990

CONSTRUCTION GRANTS STATE PROJECT PRIORITY LIST

State: Iowa
EPA Region: 07

Priority Rank (59) / Priority Points (H8)	Applicant Legal Name / County Name / Street Address / City, State Zip Code (12, 15, 51, 14, 13, 52)	Permit Number (C2) / Auth/Fac. No. (32)	Grant Number / Parent Project (B2)	Project Number (02, 01, 54) 03 - 0	Step (87) / Type (04)	St Cert (A5)	Proj Desc (20)	Sml Comm (33)	Innov Elig Cost (Y7) / Altern Elig Cost (Y8)	Total Eligible Cost (29)	Est EPA Assist (19)	Elig Cost by Needs Cat (YO-Y6)	Enf Req
0080 650.24	City of Ankeny Polk County 211 SW Walnut Ankeny IA 50021	IA7709001 MULTIPLES	C190709 10	C190790 11	3 C	P 900831	T Phase 3			3,233,400	2,425,050	I 3,233,400	AY
0085 650.24	City of Des Moines Polk County East First & Locust Des Moines IA 50307	IA7727001 MULTIPLES	C190709 10	C190709 64	3 C	P 900831	I Westside Phase 5 Seg 1			1,234,700	926,020	IVB 1,234,700	AY
0165 708.98	City of Ames Story County 622 Main Street Ames IA 50010	IA8503001 190023001	C190736 01	C190736 04 Amend 5	3 C	P 900831	T		3,605,000 3,164,000				AY
0210 190.88	City of Iowa Falls Hardin County 315 Stevens Street Iowa Falls IA 50126	IA4260001 190410001	C190753 01	C190753 02	4 C	P 900831	IT			1,584,000	871,200	I 1,357,800 IVB 226,200	AY AY
0220 147.27	City of Winterset Madison County 101 E Jefferson Winterset IA 50273	IA6171001 190934001	C190743 01	C190743 02	4 C	P 900831	IT Rehab			2,340,000	1,287,000	I 1,287,000 IIIA 257,400 IVB 795,600	AY AY AY
1325 .226	City of Laurel Marshall County P O Box 126 Laurel IA 50141	UNSEWERED 190461001		C191045 01	4 N	P 900831	IT Coll	R	764,150	1,532,900	843,090	I 605,200 IVA 927,700	BY D

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D:FY89.C/pg

FY 1990 FUNDABLE LIST SUMMARY OF FUNDS

I. Estimated EPA Assistance Required			
A. Estimated assistance for projects on fundable list			$ 6,352,360
B. Designated reserve for grant increases			3,925,431
C. Reserve for grant increases for alternative technology	FY 1990 Allotment	$ 437,618	437,618
D. Reserve for grant increases for innovative technology	FY 1989 Allotment FY 1990 Allotment	$ 217,925 $ 292,002	509,927
E. Reserve for state management assistance 205(g)	FY 1989 Allotment FY 1990 Allotment	$ 657,648 $ 657,648	1,315,296
F. Reserve for water quality management 205(j)(1)	FY 1988 Allotment FY 1990 Allotment	$ 126,298 $ 129,779	256,077
G. Reserve for non-point source management 205(j)(5)	FY 1989 Allotment FY 1990 Allotment	$ 71,298 $ 129,779	201,077
H. Reserve for advances of allowances (no need projected for FY 1990)			
Total grant needs			$12,997,786
II. FY 90 Non-additive Set-Aside Reserve Funds			
A. Reserve for alternative systems for small communities		$ 519,116	
B. Quota for unsewered communities		$ 648,895	
III. Available Funds			
A. Prior Years Carryover (7/01/90)			$ 1,143,138
B. Pending Recoveries (7/01/90)			3,135,011
C. FY 1989 Allotment Balance (7/01/90)			1,506,458
D. FY 1990 Allotment Balance (7/01/90)			7,213,179
			$12,997,786

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FISCAL YEAR 1990

CONSTRUCTION GRANTS STATE PROJECT PRIORITY LIST

State: Iowa
EPA Region: 07

Priority Rank / Priority Points (H8)	Applicant Legal Name County Name Street Address City, State Zip Code (12, 15, 51, 14, 13, 52)	Permit Number (C2) Auth/Fac. No. (32)	Grant Number Parent Project (B2)	Project Number (02, 01, 54) 03 - 0	Step (87) Type (04)	St Cert (A5)	Proj Desc (20)	Sml Comm (33)	Innov Elig Cost (Y7) Altern Elig Cost (Y8)	Total Eligible Cost (29)	Est EPA Assist (19)	Elig Cost by Needs Cat (Y0-Y6)	Enf Req
0110 650.24	City of Des Moines Polk County East First & Locust Des Moines IA 50307	1A7727001 MULTIPLES	C190709 10	C190709 65	3 C		I Four Mile Phase 8 Segment 1			1,134,000	850,500	I 1,134,000	AY
0130 650.24	City of Des Moines Polk County East First & Locust Des Moines IA 50307	1A7727001 MULTIPLES	C190709 10	C190709 66	3 C		I Saylor Cr Phase 7 Seg 1B,C,D			4,700,000	3,525,000	IVB 4,700,000	AY
0140 650.24	City of Des Moines Polk County East First & Locust Des Moines IA 50307	1A7727001 MULTIPLES	C190709 10	C190709 67	3 C		I Beaver Cr Phase 6 Seg 4			600,000	450,000	IVB 600,000	AY
0150 650.24	City of Des Moines Polk County East First & Locust Des Moines IA 50307	1A7727001 MULTIPLES	C190709 10	C190709 68	3 C		I So Tier Phase 10 Seg 1,3,4			3,800,000	2,850,000	IVB 3,800,000	AY

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FISCAL YEAR 1990

CONSTRUCTION GRANTS STATE PROJECT PRIORITY LIST
DISCHARGER RANKING

Points	Project	Points	Project	Points	Project	Points	Project
		29.26	Sully	8.44	Lamoni	3.35	Ferguson *
		23.97	Stacyville	8.40	Jesup	3.25	Graettinger
136.09	Hampton	18.96	Victor	8.38	West Point	3.19	Clear Lake SSD
105.71	Washington	18.80	Colfax	8.24	Danville	3.02	Bennett
69.06	Oskaloosa	18.73	Sumner	7.59	Blairstown	2.94	Anamosa
68.30	Stanwood	17.90	Corning	7.56	Anita	2.75	Low Moor
		17.71	Dyersville	7.06	Dunlap	2.51	Preston
62.88	Perry	16.60	Dows	7.05	Dumont	2.50	Lake Park
55.63	Coralville	14.72	Independence	6.72	Grinnell	2.16	Fort Atkinson *
		14.53	Conrad	6.61	Bussey *		
43.37	Adel	12.82	Wheatland	6.60	Marengo		
				5.88	Deep River *		
41.26	Durant	12.09	Onawa	5.18	Wyoming	1.99	Milo
38.14	Cedar Falls	11.16	Goldfield	4.73	Denver	1.81	Decatur City *
36.36	Humboldt	10.92	Martensdale	4.05	Kiron	1.77	Fenton *
36.08	Waterloo	10.79	Woodbine	4.02	Oakland	1.75	Madrid
35.95	Gladbrook	9.96	Missouri Valley	3.93	Wellman	1.75	Joice *
30.23	Carlisle	9.78	Ely	3.60	Millersburg *	1.68	Haverhill *

* Unsewered Community

FISCAL YEAR 1990

CONSTRUCTION GRANTS STATE PROJECT PRIORITY LIST
DISCHARGER RANKING

Points	Project	Points	Project	Points	Project	Points	Project
1.65	Lone Rock *	.941	Colo	.566	Lincoln	.321	Masonville *
1.58	Moorland *	.908	Scranton	.545	Albion	.294	Adair
1.57	Monticello	.862	Lake View	.541	Grand Junction	.278	Grand Mound
						.255	Brandon
1.54	Luxemburg *	.847	Maysville *	.513	Havelock *	.226	Sprague ville
1.49	Calmar	.812	Van Horne	.507	Russell	.224	Hawkeye
1.47	Williamsburg	.782	Promise City *	.464	Marne *	.217	Shambaugh
1.42	Griswold	.769	St Anthony	.462	Rose Hill *	.215	Persia *
1.37	Palmer *	.724	Alta Vista	.452	Swaledale *	.198	Farnhamville
1.34	Van Meter						
1.34	Evansdale	.714	Oran SSD *	.429	Hedrick	.195	Winthrop
1.24	Marcus	.643	Riverton *	.419	Le Grand	.187	Lawton
1.16	Bouton *	.633	Webb *	.416	Peosta *	.168	Exline *
1.05	Numa *	.611	Center Point	.397	Essex		
.988	Lucas *	.610	Williamson *	.391	Grant *	.150	Ossian
.966	Melrose *	.580	Graf *	.390	East Peru *	.148	Gruver *
.965	Earlham	.578	Larchwood	.368	Hastings *	.120	Spring Hill *
.953	Walnut	.574	State Center	.358	Ayrshire *	.099	Lehigh

FISCAL YEAR 1990

CONSTRUCTION GRANTS STATE PROJECT PRIORITY LIST
DISCHARGER RANKING

Points	Project	Points	Project	Points	Project	Points	Project
.098	Readlyn	.052	Larrabee	.018	Palo	.001	Eldon
.083	Stanhope	.052	Ollie *	.016	Farragut	.0003	Morley *
.078	Maple Heights SSD *	.045	Little Sioux *	.014	Pleasanton *	.0000	Mondamin
				.013	Camanche		
.077	McCausland	.042	Clarence	.010	New Liberty *	.0000	Leland
.072	Donahue	.038	Shellsburg	.007	Kirkville *	.0000	Newhall
.066	Keota	.038	Dexter	.007	Bellevue	.0000	Whittier SSD *
.064	Millerton *	.035	Wapello	.006	Redfield		
.062	Lockridge *	.025	Atkins	.006	Allenan *		
.060	Monroe	.025	Ireton	.005	Slater		
.055	Denmark SSD *	.022	Oyens	.001	Harpers Ferry *		

* Unsewered Community

D:FY89.C

Mr. Stokes explained the Construction Grants Priority List and asked the Commission's approval to hold a public hearing for same.

Motion was made by Rozanne King to authorize staff to hold a public hearing for the Construction Grants Priority List for FY 91. Seconded by Gary Priebe. Motion carried unanimously.

FINAL RULE--CHAPTER 61, WATER QUALITY STANDARDS: USE DESIGNATION - PHASE I (WATER BODY CLASSIFICATIONS)

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission is requested to approve the Final Rule for revisions to Chapter 61, Water Quality Standards-Use Designations. The final rule reflects the initial changes in use designations for the water bodies where adequate data are available to recommend a use designation. Two public hearings were held at which no comments were received. Three written and one oral comments (phone call) were received all supporting the proposed rule revisions. The attached Responsiveness Summary indicates the nature of the comments. The recommended rule changes follow the new designations described in the recent modifications to Chapter 61. The recommended changes include:

1) Significant Resource designations to the larger rivers supporting a sport fisheries;

2) Limited Resource designation to two smaller creeks, portions of which were previously classified as only general waters and portions as Class B(warm) waters;

3) Lakes & Wetland designation for all lakes and wetland noted in the past use designations and;

4) Maintain the past use designations for all Class A (primary contact recreation), Class C (potable water sources), High Quality and High Quality Resource waters.

5) Modify the Class B Cold water designation boundaries on three streams and add two new cold water streams as recommended by the Fisheries Bureau's comments.

(Responsiveness summary is shown on the following 8 pages)

DEPARTMENT OF NATURAL RESOURCES

ENVIRONMENTAL PROTECTION DIVISION

PUBLIC PARTICIPATION RESPONSIVENESS SUMMARY

FOR

CHAPTER 61, WATER QUALITY STANDARDS - USE DESIGNATIONS

The attached information constitutes a summary of the oral and written comments received on the above proposed rule revisions. One oral and three written comments were received during the public hearing period.

RESPONSIVENESS SUMMARY

The following information constitutes a summary of the comments received at two public hearings held on July 9, 1990 in Washington and on July 10, 1990 in Des Moines. Written comments were to be received through July 20, 1990. This responsiveness summary addresses all comments. Each comment is followed by the name of the commentor, a discussion, and staff recommendation.

1. Comment: (Written) The City of Ottumwa supports the proposed Limited Resource use designation for Cedar Creek, tributary to the Skunk River as the designation reflects the uses noted in a 1989 stream study performed by the city.

Commentor: Keith Kropf, City of Ottumwa.

Discussion: None required.

Recommendations: No changes required.

2. Comment: (Phone Call) It appears to be an oversight that Rush Lake, in southwestern Palo Alto County, was not included in the lakes and wetland listing of use designations. This lake clearly supports lake/wetland-type aquatic populations.

Commentor: Don Etler, Etler Engineering.

Discussion: Rush Lake was not included in the past water quality standards use designations as this waterbody is managed as a shallow wetland for waterfowl type uses. However, with the new Lake/Wetland use designation in the recently revised water quality standards, numerous wetlands managed as waterfowl areas will need to be added to the use designation listing. Additional staff time is need to assemble the complete list of these types of wetlands. Rush Lake will be one of these waters.

Recommendations: Staff recommends delaying the inclusion of Rush Lake into the use designations until a listing of all wetlands managed primarily for waterfowl is assembled.

3. Comment: (Written) The City of Grinnell has been performing fecal coliform sampling in Arbor Lake, a small city owned lake. This sampling is an attempt to identify sources of elevated fecal coliform values noted by the county board of health in 1989. Sampling performed to date has not conclusively identified a problem or sources

associated with fecal coliforms in the lake. Sampling will continue in the lake. Therefore, the city is hesitant to proceed with the request for a change in use designations until the study is complete.

Commentor: City of Grinnell

Discussion: The sampling data collected on April 16, 1990 at various locations in the lake did not exceed the fecal coliform water quality criteria of 200 org./100ml. One site did record an elevated value of 140 org./100ml. The city is encouraged to continue to collect additional data during the recreational season, April 1 through October 31. Use designations are not determined by whether Water Quality Standards are being met, but rather based on existing and potential uses for the water body.

Recommendations: No changes required.

4. Comment: (Written) Several trout streams in Northeastern Iowa were incorrectly identified in the past use designations and several new trout streams are being managed as cold water fisheries. The recommended changes include:

1. Pleasant Creek (segment #35). Change the lower reach from W line of Section 11 to E line of Section 11.

2. Hogans Branch (Segment #49). Mouth in Section 36 changed to Section 35.

3. Add a tributary to Bloody Run (segment #57) as Class B cold water. The referenced stream to read: <u>Ram Hollow</u> Mouth (S11, T90N, R3W, Clayton Co.) to spring source (S11, T90N, R3W, Clayton Co.).

4. South Cedar Creek (Segment #59) Change upper reach from N line of S24, T93N, R4W to N line of S30, T93N, R3W.

5. Add a tributary to Kleinlein Creek (segment #82) as Class B cold water. The referenced stream to read: <u>Baron Spring</u> Mouth (S2, T91N, R6W, Clayton Co.) to spring source (S4, T91N, R6W, Clayton Co.).

Commentor: DNR Fisheries Bureau

Discussion: These streams reflect the current cold water uses being made of the streams and warrant protection in the water quality standards. While not noted in the comments, cold water streams also receive the High Quality or High Quality Resource designation. The High Quality designation is proposed for the two new streams which have springs as sources. The three streams with just location changes are proposed to continue to have their past High Quality Resource designation.

Recommendations: These cold water and High Quality designation changes should be incorporated into the proposed use designations.

CITY OF OTTUMWA

CITY HALL
P.O. BOX 518
OTTUMWA, IOWA 52501
PHONE (515) 683-0600

July 6, 1990

Mr. Ralph Turkle
Department of Natural Resources
Wallace State Office Bldg.
900 East Grand
Des Moines, IA 50319-0034

Dear Mr. Turkle:

Our study of the Cedar Creek waters as presented to you on August 23, 1989, by Allen Water & Wastewater Engineering of Mt. Pleasant, is truly an indication of a need for stream reclassification change.

As indicated, 567-61.3(5)(455B), Cedar Creek is a Class B warm water and the proposed change would be to Class B limited resource.

This represents a true stream use designation as our study found it to be and therefore we support this change.

Sincerely,

Keith Kropf

Keith Kropf, Superintendent
Water Pollution Control

cc: Bob Keefe, City Administrator
Larry Larson, P.W. Director
Christy Collicott, City Engineer

KK/br

City of Grinnell

. . . a good place to grow

927 4th Ave.
Grinnell, Iowa
50112

April 26, 1990

Mr. Allan Stokes
Division Administrator
Environmental Protection Division
Department of Natural Resources
Wallace Building
Des Moines, Iowa 50319

Re: Arbor Lake - Grinnell, Iowa

Dear Mr. Stokes:

After our phone conversation of March 28, 1990, regarding the use designation of Arbor Lake, water samples were again taken from the lake and a copy of the results of the analysis is enclosed. Nine test samples were taken from points on the lake so noted on the attached map.

Past test data on samples taken by the Poweshiek County Board of Health showed a relatively high coliform level at the point where the stream directly enters the lake. It is important to note that the current test data does not include a sample from this area.

The stream which enters Arbor Lake at the north end of the lake, originates from both the rural and urban areas and flows directly to Arbor Lake. A storm sewer from First Avenue also empties into this stream. A map is enclosed which highlights the stream and storm sewer route. A topographical map of the area is also enclosed.

It appears that the high coliform counts that have been observed have been taken directly from the point where the stream enters the lake. As pointed out in the attached letter from the County Board of Health, they are suggesting that the water is not fit for body contact because of the high samples taken at the stream entry and feel the lake should be posted that it does not meet health standards. They suggest that as an alternate to this posting, that the water classification be changed to a "B" designation.

After reviewing your letter of March 20, 1990, regarding the requirements for a change in use designations for the lake, and based on the current test analysis results we now have available, I am hesitant to proceed with the request for a change in use designations until the study by the City is complete.

Please advise if you feel we are proceeding in the correct manner and if you feel the reclassification is necessary at this time. In a practical sense, does the steam count necessarily affect the entire lake reclassification?

Thank you for your time and assistance to the City of Grinnell.

Sincerely,

Pamela Rupe
City Clerk

RP/mh

IOWA DEPARTMENT OF NATURAL RESOURCES

INTRADEPARTMENTAL COMMUNICATION N.E. IOWA DISTRICT HEADQUARTERS

TO: Ralph Turkle, Water Quality DATE: 29 June 1990

FROM: Dave Moeller, Fisheries

SUBJECT: Changes to Water Use Designations

As we discussed on the telephone this morning, listed below are the changes, corrections and additions to the Water Use Designation list that relate to the B(C) coldwater streams.

N.E. IOWA RIVER BASINS:

Stream #70, Pleasant Creek, B(W). Change upper limit from "W line of Section 11" to read "E line of Section 11".

Stream #71, Pleasant Creek, B(C). Change lower limit from "W line of Section 11" to read "E line of Section 11".

Stream #93, Hogans Branch. Change location of mouth from "536" to "535" The book Drainage Areas of Iowa Streams lists the mouth in Section 36; however, the USGS topo maps clearly show it to be in section 35.

Stream #100, Little Turkey River. Add a tributary upstream of Bloody Run Creek (#103) as follows: "Ram Hollow, mouth Section 11, T90N, R3W, Delaware County to spring source in Section 11, T90N, R3W, Delaware County" with B(C) designation.

Stream #106, South Cedar Creek. Change upper limit from "N line of 524, T93N, R4W" to read "N line of 530, T93N, R3W".

Stream #124, Bohemian Creek. The water use designation should be "B(C)" not "C".

Stream #136, Kleinlein Creek. Add a tributary as follows: "Baron Spring, mouth Section 2, T91N, R6W, Clayton Co. to spring source in Section 4, T91N, R6W, Clayton Co." with B(C) designation.

If you have any questions, feel free to give me a call. Stop in when you are in the area. Thanks for the help on this.

DLM/sao
cc: Conover
Kalishek
Wunder

Motion was made by Nancylee Siebenmann to approve Final Rule---Chapter 61, Water Quality Standards: Use Designation - Phase I. Seconded by Mike Earley. Motion carried unanimously.

NOTICE OF INTENDED ACTION--CHAPTER 61, WATER QUALITY STANDARDS: USE DESIGNATION - PHASE II (STREAM USE DESIGNATIONS)

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The recently enacted numerical and narrative criteria of the water quality standards include new aquatic use protection designations for Iowa's water bodies. As part of the continued staff activity to properly determine and assign the appropriate use designations to all the individual streams, lakes and wetlands, an additional set of stream segments warranting designation has been prepared. The list of proposed use designations for each stream is attached, along with a map noting their locations. Included are:

* Streams previously designated as B(warm water) are proposed to be designated as B(significant resource warm water).

* Streams previously designated as B(warm water) are proposed to be designated as B(limited resource warm water).

* Streams previously designated as General Classification are proposed to be designated as B(limited resource warm water).

Six public hearings will be scheduled to receive comments on the proposed use designations as these segments are from across the state. The Commission is requested to approve the Notice of Intended Action.

(Rule and accompanying information is shown on the following 7 pages)

ENVIRONMENTAL PROTECTION COMMISSION [567]
Notice of Intended Action

Pursuant to the authority of Iowa Code sections 455B.105 and 455B.173, the Environmental Protection Commission for the Department of Natural Resources gives Notice of Intended Action to amend Chapter 61, "Water Quality Standards".

The recent revisions which amended the numerical and narrative criteria of the water quality standards effective May 23, 1990, included new aquatic use protection designations for Iowa's various water bodies. It is anticipated that approximately three years of field activities will be required to properly determine and assign the appropriate use designations to all individual rivers, streams and lakes. The determination and adoption of use designations are required prior to implementation of the amended water quality standards in establishing individual effluent limits for wastewater treatment facilities. This Notice of Intended Action lists the second group of waters for which the new use designations are warranted.

This list of rivers and streams, represents the water bodies which: 1) were previously Class B(warmwater) segments that are proposed to be designated as Class B(WW) Significant Resource warm water, 2) were previously Class B(warmwater) segments that are proposed to be designated as Class B(LR) Limited Resource warm water, and 3) were previously General Classified streams that are proposed to be designated as Class B(LR) Limited Resource warm water. The review of these segments has been prompted to facilitate needed wastewater treatment facility planning activities. The specific use designations are noted in subrule 61.3(5)"e".

This list of stream segments is to be inserted into subrule 61.3(5), in the sequence according to each segment's relationship in the drainage basin. The list does not include all of the stream segments in the state, but only the additional segments recommended for modifications at this time.

Any interested person may submit written suggestions or comments on the proposed rule changes through October 22, 1990. Such written materials should be directed to Ralph Turkle, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand, Des Moines, Iowa 50319-0034, of FAX # (515)281-8895. Persons who have questions may contact Ralph Turkle at (515)281-7025. Persons are also invited to present oral or written comments at public hearings which will be held at 1:00 pm on October 9, 1990 in the Stanwood Library, 110 East Broadway, Stanwood, Iowa, at 7:00 pm on October 9, 1990 in the Chamber of Commerce Hall, 9 1st St. SW, Oelwein, Iowa, at 1:00 pm on October 10, 1990 in the LeMars Library, 46 1st St. SW, LeMars, Iowa, on 7:00 pm on October 10, 1990 in the Manning Library, 320 Main St. Manning, Iowa, at 1:00 pm on October 11, 1990 in the ISU Extension Office 113 A Ave. West, Oskaloosa, Iowa, and at 7:00 pm on October 11, 1990 in the Grinnell Library 926 Broad St., Grinnell, Iowa.

These rules may have an impact upon small businesses.

Copies of these proposed rules may be obtained from Sarah Detmer, Records Center, Iowa Department of Natural Resources, Wallace State Office Building, 900 East Grand, Des Moines, Iowa 50319-0034.

These rules are intended to implement Iowa Code Chapter 455B, Division III, Part I.

ITEM 1. Insert the following into subrule 61.3(5)"e":

Iowa Water Quality Standards
Water Use Designations

WESTERN IOWA RIVER BASINS

Deep Creek - 3
Willow Creek - 2
Wiskey Creek - 1

	Water Uses							
	A	B(WW)	B(LR)	B(LW)	B(CW)	C	HQ	HQR
Wiskey Cr.								
1. Mouth (Plymouth Co.) to confluence with an unnamed tributary (NW 1/4, Sec. 2, T91N, R43W, Plymouth Co.)			X					
Willow Cr.								
2. Mouth (Plymouth Co.) to confluence with an unnamed tributary (NE 1/4, Sec. 11, T93N, R44W, Plymouth Co.)			X					
Deep Cr.								
3. Mouth (Plymouth Co.) to confluence with an unnamed tributary (NE 1/4, Sec. 35, T94N, R43W, Sioux Co.)			X					

Iowa Water Quality Standards
Water Use Designations

SOUTHERN IOWA RIVER BASINS

West Nishnabotna River - 1

	Water Uses							
	A	B(WW)	B(LR)	B(LW)	B(CW)	C	HQ	HQR
W Nishnabotna R.								
1. Confluence with Elk Cr. (Sec. 36,T81N, R36W, Shelby Co.) to confluence with an unnamed tributery (Sec. 34, T83N, R36W, Carroll Co.)			X					

Iowa Water Quality Standards
Water Use Designations

DES MOINES RIVER BASIN

Cedar Creek - 2
Miller Creek - 1
Muchakinock Creek - 3
Short Creek - 4

	Water Uses						
	A	B(WW)	B(LR)	B(LW)	B(CW)	C	HQ	HQR
Miller Cr.								
1. Mouth (Wapello Co.) to confluence with an unnamed tributary (Sec. 29, T73N, R16W, Monroe Co.)			X					
Cedar Cr.								
2. Confluence with Bee Branch (Sec. 3, T72N, R18W, Monroe Co.) to Hwy 34 bridge crossing (Monroe Co.)			X					
Muchakinock Cr.								
3. Confluence with an unnamed tributary (N 1/2, Sec. 2, T75N, R16W, Mahaska Co.) to confluence with Little Muchakinock (Sec. 34, T75N, R16W, Mahaska Co.)			X					
Short Cr.								
4. Mouth (Greene Co.) to confluence with an unnamed tributary (S21, T84N, R31W, Green Co.)			X					

Iowa Water Quality Standards
Water Use Designations

SKUNK RIVER BASIN

Bear Creek - 2
Sugar Creek - 1

	Water Uses						
	A	B(WW)	B(LR)	B(LW)	B(CW)	C	HQ	HQR
Sugar Cr.								
1. Interstate 80 bridge crossing to confluence with an unnamed tributary (SW 1/4, Sec. 24, T80N, R17W, Jasper Co.)			X					
Bear Cr.								
2. Mouth (Story Co.) to N line of Sec. 32, T85N, R23W, Story Co.			X					

Iowa Water Quality Standards
Water Use Designations

IOWA-CEDAR RIVER BASIN

Honey Creek - 5
Lime Creek - 3, 4
Little Bear Creek - 2
Rock Creek - 1

	Water Uses						
	A	B(WW)	B(LR)	B(LW)	B(CW)	C	HQ	HQR
Rock Cr.								
1. County Rd. F28 bridge to the confluence with an unnamed tributary (Sec. 1, T81N, R3W, Cedar Co.)			X					
Little Bear Cr.								
2. Mouth (Poweshiek Co.) to confluence with an unnamed tributary (SW 1/4, Sec. 13, T80N, R16W, Poweshiek Co.)			X					
Lime Cr.								
3. Mouth (Benton Co.) to confluence with an unnamed tributary (Sec. 1, T87N, R10W, Buchanan Co.)		X						
4. Confluence with an unnamed tributary (Sec. 1, T87N, R10W, Buchanan Co.) to confluence with an unnamed tributary (SW 1/4, Sec. 11, T88N, R10W, Buchannan Co.)			X					
Honey Cr.								
5. Mouth (Marshall Co.) to confluence with an unnamed tributary (Sec. 15, T86N, R20W, Hardin Co.)			X					

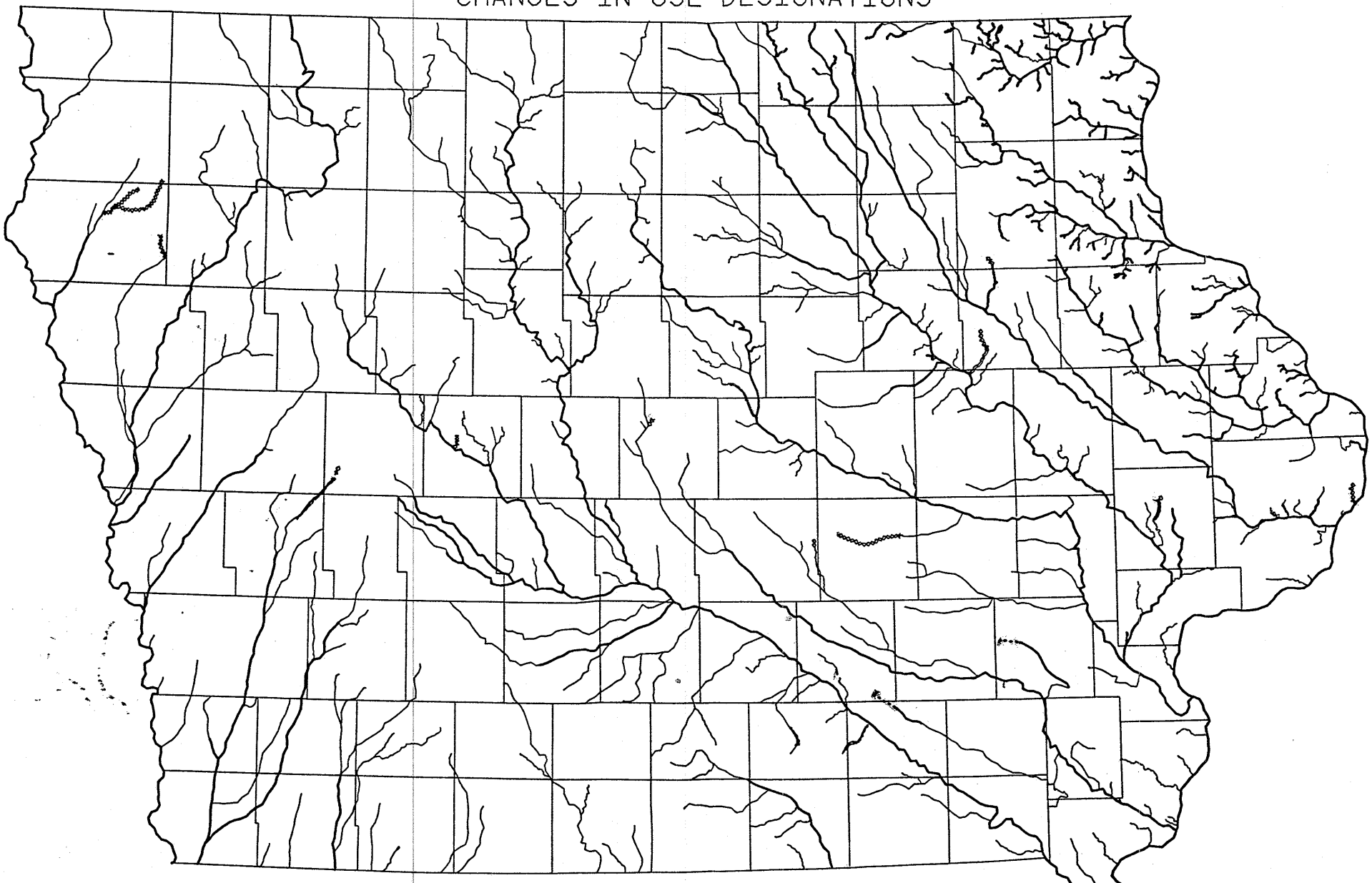
Iowa Water Quality Standards
Water Use Designations

NORTHEASTERN IOWA RIVER BASINS

Barber Creek - 1
Mill Creek - 2
Otter Creek - 3, 4
Rogers Creek - 5
Silver Creek - 6

	Water Uses							
	A	B(WW)	B(LR)	B(LW)	B(CW)	C	HQ	HQR
Barber Cr.								
1. Mouth (Clinton Co.) to bridge crossing (SW 1/4, Sec. 33, T81N, R3E, Clinton Co.)			X					
Mill Cr.								
2. Mouth (Clinton Co.) to confluence with an unnamed tributary (Sec. 26, T82N, R6E, Clinton Co.)			X					
Otter Cr.								
3. N. line of Sec. 33, T91N, R9W, Fayette Co. to confluency with an unnamed tributary (Sec. 29, T91N, R9W, Fayette Co.)		X						
4. Confluence with an unnamed tributary (Sec. 29, T91N, R9W, Fayette Co.) to confluence with an unnamed tributary (Sec. 18, T91N, R9W, Fayette Co.)			X					
Rogers Cr.								
5. Mouth (Winneshiek Co.) to confluence with Goddard Cr. and Krumm Cr.			X					
Silver Cr.								
6. N. line of Sec. 26, T100N, R9W, winneshiek Co. to Hwy. 52 bridge crossing (Winneshiek Co.)			X					

CHANGES IN USE DESIGNATIONS



B(W) AWAITING REDESIGNATION

REDESIGNATED TO SIGNIFICANT RES. (II)

REDESIGNATED STREAMS (I)

REDESIGNATED TO LIMITED RES. (II)

GENERAL TO CLASS B WATERS (I)

GENERAL TO CLASS B WATERS (II)

JULY, 1990

FFY 90

FFY 90 WATER QUALITY STANDARDS REVISIONS

HUMAN HEALTH CRITERIA

ESTIMATED ECONOMIC IMPACTS AND BENEFITS

Prepared By:

Environmental Protection Division

August 1990

Iowa Department of Natural Resources
Larry J. Wilson, Director

Motion was made by Margaret Prahl to approve Notice of Intended Action--Chapter 61, Water Quality Standards: Use Designation - Phase II. Seconded by Gary Priebe. Motion carried unanimously.

WATER QUALITY STANDARDS - HUMAN HEALTH CRITERIA - ECONOMIC ASSESSMENT

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission is requested to approve for filing, the attached economic assessment associated with the proposed human health criteria for Chapter 61, Water Quality Standards. Currently on public notice are proposed rule revisions which would incorporate human health criteria into the Water Quality Standards, Chapter 61. As part of the rule development activity, staff assembled the estimated economic impacts and benefits for the proposed rules. The economic assessment addressed the potential impact to domestic and industrial wastewater treatment facilities and the potential benefit to Iowans. In summary, the economic impacts and benefits are:

1. Only four facilities potentially discharging Arsenic are expected to be impacted.
2. Two stream miles below each facility are expected to be benefited.
3. The amortized annual construction costs per facility is $60,350, based on 20 years at 8.8% interest.
4. An average increase in annual operational costs per facility is $145,075.
5. An anticipated benefit to Iowans of $120,000 per year total for the four streams.

This Economic Assessment follows the same approach used in development of the assessment for the recently adopted revisions to Chapter 61.

(Economic Assessment is shown on the following 15 pages)

FFY 90 WATER QUALITY STANDARDS REVISIONS

HUMAN HEALTH CRITERIA

ESTIMATED ECONOMIC IMPACTS AND BENEFITS

I. **Summary of Economic Assessment.** The proposed human health criteria will require approximately $ 2.28 Million to be spent for the construction or upgrading at four industrial wastewater treatment or pretreatment facilities. The few number of facilities affected by the human health criteria is due to the effectiveness of the aquatic criteria in also protecting human health concerns and the few number of facilities discharging high levels of toxic pollutants. These four facilities will be required to remove additional amounts of Arsenic from their effluent. These estimated costs will not be divided evenly among all treatment facilities requiring an upgrade, but each individual facility will have unique costs.

The estimated average facility cost is as follows.

> For the industrial or pretreatment facility required to provide additional Arsenic removal, an average estimated one time construction cost is $570,000; with an increase in operational costs of $145,075 per year. If the construction cost was to be paid over a 20 year period at an interest rate of 8.8%, the amortized construction cost for the facility would be $60,350 per year in addition to the $145,075 increased operational costs.

The construction costs will not occur concurrently for all facilities, but will depend on individual construction needs and schedules.

The associated economic benefit of the proposed rules is estimated to be a total of $ 120,000 annually for the 8 stream miles anticipated to experience a benefit.

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II. **Introduction.** The economic impact and benefits for the proposed human health criteria water quality standards (WQS) are associated with the introduction of an additional instream criteria to be achieved at the boundary of the regulatory mixing zone. The identifiable economic impact will be to wastewater treatment facilities discharging parameters in amounts exceeding the assimilative capacity of the receiving stream while the identifiable benefit will be to the human consumers of the sport fisheries. Thus, this assessment will evaluate the impacts and benefits to the waters designated to protect a sport fisheries, the cold water, significant resource warm water, and the lake/wetland waterbodies.

This economic assessment reflects the estimated construction costs to wastewater treatment facilities required to meet more stringent human health criteria. Associated with the construction costs is an estimation of the annual operational costs for the treatment of the toxic parameters. It is recognized that other associated cost may exist, such as, indirect construction costs, other operation and maintenance costs, and monitoring cost for effluent, sludge and contributing industries. However, these costs are difficult to estimate as they are more specific to the individual treatment processes selected to meet the required effluent limitations.

III. **Procedures of Determining Economic Assessment.** The economic assessment includes a projection of the impacts on wastewater treatment facilities discharging parameters associated with the human health criteria, and the benefit to consumers of fish caught in the rivers near the wastewater treatment facilities. An economic impact could not be developed specifically for all wastewater facilities in Iowa because of the lack of data regarding the presence in the facilities of many of the human health parameters. In addition, the economic benefit could not derive a total benefit due to the complex nature of expressing the benefits to human health. Basic assumptions were made to facilitate obtaining a representative assessment within these constraints.

A. **Assumptions & Procedures for Economic Impact Calculations.** All Iowa wastewater treatment facilities presently permitted to discharge the human health parameters were selected to have specific economic impacts calculated. For all selected facilities, the human health wasteload allocation and permit limit was calculated following the procedure in the Chapter IV, Basin Plan Support Document.

1. **Selected Parameters.** Table 1 in the proposed rule revisions list the human health criteria developed by EPA for: 1). the toxic pollutants presently noted in the water quality standards, and 2). the pollutants currently permitted for Iowa dischargers. (The proposed rule revisions are included in the appendix to this

assessment, as Table 1.) Eleven of the proposed human health criteria are less stringent than the aquatic life criteria (acute or chronic). Two of the proposed human health criteria are more stringent than the aquatic life criteria. Thirteen parameters have human health criteria proposed for which there are no EPA aquatic life criteria. It should be noted that human health criteria were not developed for four parameters for which aquatic life criteria are noted in Iowa's Water Quality Standards. This economic assessment will address those two parameters where the human health criteria are more stringent than the aquatic life criteria for the cold water, significant resource warmwater, or lake/wetlands use designations. In addition the assessment will address the thirteen parameters where there were no aquatic life criteria as these have not been regulated in past water quality standards. (Table 2 in the Appendix presents the fifteen parameters being addressed.)

This economic assessment does not address the less stringent criteria as the economic impacts from the aquatic criteria were addressed in the development of the March 20, 1990 adopted Water Quality Standards. For details on the impacts from the aquatic life criteria, see the DNR document entitled 'FFY 89 Water Quality Standards, Estimated Economic Impacts and Benefits, January 1990, prepared by the Environmental Protection Division.

The economic impact will calculate the cost for the parameters which are being permitted for discharge into Iowa waters. A search of fifteen parameters permitted for all dischargers indicates that four of the human health criteria are being discharged by nine facilities. These nine facilities will potentially be affected by the human health criteria. These four parameters include: Arsenic, Benzene, Chlorobenzene, and Trichloroethene (TCE).

2. **Selected Facilities.** The nine facilities selected presently are permitted to discharge one or more of the fifteen parameters noted above. This group of facilities included: one machinery manufacturer, one landfill leachate treatment system, one metals refinery, one veterinary medicine formulator, two plastics formulators, an industrial pretreatment contributor to a city, and two dischargers from groundwater clean up.

Names are not noted for each individual facility because of the tentative nature of the calculations. Individual facility limitations will be developed

during the actual NPDES permit renewal process using information not capable of being incorporated into this economic assessment.

3. **Wasteload Allocations.** The wasteload allocation (WLA) for each of the facilities was calculated following the procedure described in Chapter IV, Basin Plan Supporting Document, revised March 20, 1990. Each WLA represents the amount of pollutants which the receiving stream can assimilate without causing the water quality standards criteria to be exceeded. As noted in the proposed human health criteria rules, the criteria will be met at the boundary of the mixing zone for toxic pollutants.

   In calculating the WLA for each facility, the regulatory mixing zone flow was determined as; 1/4 of the stream's 7Q10 stream flow regime at each discharger on interior streams, and 1/10 of the Mississippi and Missouri River's 7Q10 flow.

   The proposed water quality standards notes other mixing zone restrictions for length and associated flow. However, for this economic assessment the maximum amount of stream flow in the mixing zone was used.

4. **Permit Limitations.** The water quality standards incorporate the EPA concept of statistically derived permit limits to assure that the water quality standards will not be exceeded due to fluctuations in effluent quality normally occurring in a facility. The water quality standards incorporate both a simplified and a statistical procedure. The simplified approach was used which establishes the daily maximum permit limit equal to the WLA and the monthly average permit limit equal to 67% of the maximum limit.

   Since the selected facilities currently have permit limits for the selected parameters, the human health based permit limits are compared to the present permit limits. It was assumed that a treatment facility will only be impacted by the proposed human health criteria if the human health based permit limit is more stringent than the present permit limit. Five of the original nine selected facilities are shown not to be impacted by the proposed human health criteria. The permit limits for each of the four facilities affected by the proposed human health criteria are noted in Table 3.

5. **Economic Impact Calculation.** The economic impact calculation projects the construction costs necessary for a treatment facility to meet the calculated permit limits and an estimate of the annual operational cost.

Because the human health parameters are potentially impacting treatment facilities for Arsenic, the treatment methods vary with the pollutant, and the type of industry generating the waste or the ability of the city system to provide incidental removal. Entire treatment replacement is not anticipated to be necessary to meet the required permit limits. Individual waste stream treatment or additional treatment units added to existing facilities are the expected methods to achieve permit limits.

For this assessment, only Arsenic was found to need additional removal. For this pollutant, ion exchange was selected as the process to remove the pollutant to the levels necessary to meet the permit limits.

Individual waste streams from each source of Arsenic should be treated prior to combination with other waste streams in an industrial complex. Since this assessment did not know the isolated waste streams within an industrial complex, the entire permitted flow was used in deriving the projected treatment costs. It is expected that a smaller waste stream than the entire facility flow would need the Arsenic treatment, thus potentially reducing the treatment cost for the particular industry or pretreatment facility.

The pretreatment facility is contributing industrial discharges to the municipality having the permit limits. Since the contributing flows from the pretreatment facility were not known it was assumed that a flow of 0.015 mgd would require Arsenic treatment.

The economic impact calculations for Arsenic removal, referenced the book Wastewater Treatment Technology, Patterson, J.W., 1978. Cost information from this reference was used for the type of treatment process applicable for removal of the pollutant. Specific ion exchange construction costs could not be found in the reference for Arsenic removal. The ion exchange costs for Copper removal were used as representative values.

The following are the costs from the reference used in the assessment.

Costs	Arsenic
Construction (range) $/1000 gal/day	1,740-5,220
Construction (midrange) $/1000 gal/day	3,480
Operational (range) $/1000 gal	1.34 - 3.52
Operational (midrange) $/1000 gal	2.43

All construction costs were updated to January 1990 dollars using the Engineering News Record index. Midrange cost values for construction and operations were used in conjunction with the facilities discharge flow rate to determine the projected costs. Table 4 denotes the needed treatment facility costs. Table 5 includes the estimated increase in annual operational costs to provide the additional level of Arsenic removal.

The total capital construction cost is estimated at $2.28 Million for the four facilities potentially having a treatment need. To put this total construction cost in terms of an annual cost, a 20 year pay back period was assumed at an interest rate of 8.8% (P/A factor = 0.1059). The total construction cost would equate to an annual cost of $0.24 Million. This figure includes only capital improvements to the industries and the municipality to comply with the revised effluent limits for the human health based permit limits. Table 5 notes the annual construction costs for each facility.

There will undoubtedly be an associated increase in the existing operation and maintenance (O&M) costs to the industries and the municipality to meet the proposed limits. The referenced document provided a range of O&M costs for the pollutant removal. However, there may be other costs to all affected facilities which could not be readily identified and included in this assessment. The estimated O&M costs for all affected facilities is $0.580 Million as noted in Table 5.

To put these construction and operation costs into a facility perspective, Table 5 also presents the expected average costs for each facility, on an annual

basis. These facility values represent the additional costs associated with financing, constructing and operating the required facility.

B. **Assumptions and Procedures For Economic Benefits.** The assessment of economic benefits follows a similar approach to that used in the 1989 economic assessment for Water Quality Standards revisions. While the 1989 revisions addressed different aspects of the standards, similar rationale and data sources are used in the present assessment. The benefits will address the principle aspect of the proposed human health criteria, i.e., protection of human health associated with the consumption of fish flesh.

The benefit from the human health criteria will be from reduced concentrations of pollutants downstream of wastewater treatment facilities, during all stream flow conditions, such that fish flesh will not be contaminated to levels which cause a risk from consumption. Extensive research and evaluation of potential human responses to trace amounts of pollutants in fish flesh has been conducted by EPA in developing the national guidelines for the human health criteria. This assessment of benefits will not attempt to incorporate the EPA evaluation to human responses. Nor will it attempt to assign a dollar value to human health and well-being as they are very difficult to measure. A simpler approach was selected which followed the past water quality standards assessment where the benefit will be associated to the aquatic resources by assigning a worth or value to the period of time a user spent in the benefited stream segment. The lack of the human health criteria potentially implies that the human consumption of the aquatic resource (fish) will be impaired or eliminated due to tissue contamination. Thereby reducing or eliminating the worth of the stream not only in the mixing zone of the discharger, but also for a distance above and below the mixing zone where the fish may move.

The term used in this assessment for the worth of the resource is "user day". Surveys performed by the department and consultants place a dollar value on each user day spent recreating or fishing along a stream. Based on the survey results, a conservative value or worth of $20.00 was used for each user day for the type of recreation being made on the stream.

Since the implementation of the human health criteria will have the most profound and direct benefit to the receiving stream upstream and directly downstream of wastewater treatment facilities, four different factors are included in the calculation of stream benefits below treatment facilities; specific stream distances benefited for each facility in the subset, rate of recreational/fishing usage

in each receiving stream, the length of the recreational season, and the user day dollar value.

The stream distance benefited below each facility, having a treatment need, was estimated as the distance sport fish may move within the stream receiving the wastewater discharge. The length of movement of sport fish was estimated as 2 miles as an average value for Iowa rivers. This equates to 8 stream miles for the four affected facilities.

To account for different rates of usage anticipated with the different sizes of the four receiving streams, staff estimated a average usage rate at these intensively used rivers of 25 user days/mile/week. These rivers undoubtedly have higher seasonal usage rates during peak fishing periods.

The season of active recreation/fishing on theses rivers was assumed to occur from April 1 to November 1, approximately 30 weeks. The product of the usage rate (user days/week/mile), the weeks per season, dollar value per user day, and the benefited miles provides the projected economic benefit for the receiving stream associated with the subset of facilities. Using this relationship, the annual benefit associated with the human health criteria for the four facilities needing upgrading is $ 120,000. The statewide benefit

$$= 2(4)(\$20.00)(30)(25) = \$\ 120,000.$$

APPENDIX

Table 1
Criteria For Chemical Constituents

(all values as micrograms per liter unless noted otherwise).

Parameter		Use Designations B(CW)	B(WW)	B(LR)	B(LW)	C
Arsenic (III)	Chronic	200	200	1000	200	--
	Acute	360	360	1800	360	50
	Human Health	1.4	1.4	--	1.4	--
Barium	Acute	--	--	--	--	1000
Benzene	Acute	--	--	--	--	5
	Human Health	712.8	712.8	--	712.8	--
Cadmium	Chronic	1	15	25	1	--
	Acute	4	75	100	4	10
	Human Health+	168	168	--	168	--
Carbon Tetra-chloride	Acute	--	--	--	--	5
	Human Health	44.2	44.2	--	44.2	--
Chloride	Acute	--	--	--	--	250*
Chlordane	Chronic	.004	.004	.15	.004	--
	Acute	2.5	2.5	2.5	2.5	--
	Human Health	.006	.006	--	.006	.006
Chlorobenzene	Human Health+	20	20	--	20	20
Chromium (VI)	Chronic	40	40	200	10	--
	Acute	60	60	300	15	50
	Human Health+	3365	3365	--	3365	--
Copper	Chronic	20	35	55	10	--
	Acute	30	60	90	20	1000
	Human Health+	1000	1000	--	1000	--
Cyanide	Chronic	5	10	10	10	--
	Acute	20	45	45	45	20
4,4'- DDT++	Human Health	.0059	.0059	--	.0059	.0059
para-Dichloro-benzene	Acute	--	--	--	--	75
	Human Health+	2.6*	2.6*	--	2.6*	--

Parameter		Use Designations B(CW)	B(WW)	B(LR)	B(LW)	C
3,3-Dichloro benzidine	Human Health	.2	.2	--	.2	.1
1,2-Dichloro-ethane	Acute	--	--	--	--	5
	Human Health	986	986	--	986	--
1,1-Dichloro-ethylene	Acute	--	--	--	--	7
	Human Health	32	32	--	32	--
Dieldrin	Human Health	.0014	.0014	--	.0014	.0014
2,3,7,8-TCDD (Dioxin)	Human Health	.00014***	.00014***	--	.00014***	.00013***
Fluoride	Acute	--	--	--	--	2000
Heptachlor	Human Health	.002	.002	--	.002	.002
Lead	Chronic	3	30	80	3	--
	Acute	80	200	750	80	50
Mercury (II)	Chronic	.05	.05	.25	.05	--
	Acute	6.5	6.5	10	2.5	2
	Human Health+	.15	.15	--	.15	--
Nitrate as NO3	Acute	--	--	--	--	45*
Nickel	Chronic	350	650	750	150	--
	Acute	3250	5800	7000	1400	--
	Human Health+	4584	4584	--	4584	607
Polychlorinated Biphenyles (PCBs)	Chronic	.014	.014	1	.014	--
	Acute	2	2	2	2	--
	Human Health	.0004	.0004	--	.0004	.0004
Polynuclear Aromatic Hydro-Carbons (PAHs)**	Chronic	.03	.03	3	.03	--
	Acute	30	30	30	30	--
	Human Health	.3	.3	--	.3	.028
Phenols	Chronic	50	50	50	50	--
	Acute	1000	2500	2500	1000	50
	Human Health+	300	300	--	300	--
Selenium (VI)	Chronic	10	125	125	70	--
	Acute	15	175	175	100	10
Silver	Chronic	2.5	8.5	8.5	.35	--
	Acute	30	100	100	4	50

Parameter		Use Designations B(CW)	B(WW)	B(LR)	B(LW)	C
Toluene	Chronic	50	50	150	50	--
	Acute	2500	2500	7500	2500	--
	Human Health+	300*	300*	--	300*	101*
Total Residual Chlorine (TRC)	Chronic	10	20	25	10	--
	Acute	35	35	40	20	--
1,1,1-Trichloroethane	Acute	--	--	--	--	200
	Human Health+	173*	173*	--	173*	--
Trichloroethylene (TCE)	Chronic	80	80	80	80	--
	Acute	4000	4000	4000	4000	5
	Human Health	807	807	--	807	--
Vinyl Chloride	Acute	--	--	--	--	2
	Human Health	5250	5250	--	5250	--
Zinc	Chronic	200	450	2000	100	--
	Acute	220	500	2200	110	1000
	Human Health+	5000	5000	--	5000	--

*expressed as milligrams/liter
**to include the sum of known and suspected carcinogenic PAHs
***expressed as nanograms/liter
+Represents the non-carcinogenic human health parameters.
++The concentrations of 4,4'- DDT or its metabolites; 4,4'- DDE and 4,4'- DDD, individually shall not exceed the human health criterion.

Table 2

Comparison Of Aquatic Life Criteria to Human Health Criteria

Condition	Parameters
1*.Human Health Criteria More Stringent than Aquatic Life Criteria (2)	Arsenic, PCB's
2*.Human Health Criteria With no EPA or DNR Aquatic Life Criteria (13)	Benzene, Carbon Tetrachloride, Chlorobenzene, 4,4'-DDT, para-dichlorobenzene, 3,3-dichlorobenzidine, 1,2-dichloroethane, 1,1-dichloroethylene, dieldrin, dioxin, heptachlor, 1,1,1-trichloroethane, vinyl chloride
3. Human Health Criteria Less Stringent than Aquatic Life Criteria (11)	Cadmium, Chlordane, Chromium, Copper, Mercury, Nickel, PAH's Phenols, TCE, Toluene, Zinc
4. Aquatic Life Criteria With no EPA Human Health Criteria (4)	Cyanide, Lead, Selenium, Silver

*Only item 1 and 2 parameters included in this assessment.

TABLE 3

PRESENT AND PROJECTED PERMIT LIMITATIONS FOR EACH FACILITY.

TYPE OF FACILITY	Average Arsenic Values			
	Present Limits		Project Limits	
	mg/l	lbs/d	mg/l	lbs/d
Machinery Manufacture	.27	.71	.39	.44
Industrial Pretreatment	.2	72	.0014	1.1
Metal Refinery	-	1.85	.0009	.00034
Veterinary Medicine Form.	.37	.7	.032	.067

TABLE 4

PROJECTED CONSTRUCTION COSTS FOR EACH FACILITY. SOME FACILITIES MAY NOT ACTUALLY HAVE THE NEED AS PROJECTED IN THIS ASSESSMENT.

TYPE OF FACILITY	DESIGN FLOW (mgd)	TOTAL ESTIMATED CONSTRUCTION COST, IN $ MILLION
FOR ARSENIC REMOVAL: Machinery Manufacture	0.207	0.72
Industrial Pretreatment	0.015	0.05
Metal Refinery	0.045	0.16
Veterinary Medicine Form.	0.387	1.35
TOTAL		$2.28 Million

mgd = million gallons per day

TABLE 5

PROJECTED ANNUAL COSTS FOR EACH FACILITY, OVER AND ABOVE CURRENT COSTS

TYPE OF FACILITY	ANNUAL COSTS TO ACHIEVE REQUIRED ARSENIC REMOVAL	ANNUAL COSTS TO CONSTRUCT REQUIRED ARSENIC REMOVAL FACILITY	TOTAL COSTS TO CONSTRUCT & TREAT ARSENIC REMOVAL
ARSENIC REMOVAL: Machinery Manuf.	184,000	76,200	260,200
Metal Refinery	40,100	16,900	57,000
Indust. Pretreat.	13,100	5,300	18,400
Vet. Med. Form.	343,100	143,000	486,100
TOTAL	580,300	241,400	821,700
AN AVERAGE FACILITY'S ADDITIONAL COST:	145,075	60,350	205,425

Mr. Stokes presented an overview of the estimated economic impacts and benefits in relation to proposed rule revisions for Water Quality Standards Human Health Criteria.

Gary Priebe asked if any of the four facilities that are potential Arsenic dischargers have received copies of the economic assessment.

Mr. Stokes replied that all four facilities have been provided a copy of the assessment.

Discussion followed.

Motion was made by Margaret Prahl to approve filing of the Human Health Criteria Economic Assessment for Chapter 61, Water Quality Standards. Seconded by Mike Earley. Motion carried unanimously.

PROPOSED RULE--CHAPTER 63, MONITORING, ANALYTICAL, AND REPORTING REQUIREMENTS - EFFLUENT TOXICITY TESTING

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The U.S. Environmental Protection Agency (EPA) has determined that effluent toxicity testing is a scientifically valid approach to control toxics in wastewater discharges. Thus EPA has proposed rules for states to follow in setting up toxicity testing programs. The proposed rules representing Iowa's approach to fulfill this EPA requirement will be handed out at the meeting.

* It is proposed that all major municipal and industrial dischargers be required to conduct effluent toxicity testing. Minor dischargers may also be required to do effluent toxicity testing based on a case-by-case evaluation.

* Facilities will be required to conduct a 48 hour static effluent toxicity test annually.

* Positive tests results will require quarterly testing.

* Following two consecutive positive tests or 3 of 5 positive tests, a toxicity reduction evaluation (TRE) will be required to identify the toxic pollutant, determine its source, and eliminate it from the discharge.

* If ammonia or total residual chlorine are the cause of a positive toxicity test, the facility will not be required to do quarterly testing or to conduct a TRE. However, the facility will be expected to meet permit limits for both parameters.

Mr. Stokes distributed copies of the proposed rule and explained same.

A copy of the proposed rule is on file in the department's Records Center.

This was an informational item; no action was required.

FINAL RULE--CHAPTER 121, LAND TREATMENT PROCEDURES FOR PETROLEUM CONTAMINATED SOILS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The Commission has received copies of proposed changes to Chapter 121 which will establish procedures for land treatment of petroleum contaminated soil. Petroleum contaminated soil frequently results from removal of underground storage tanks and petroleum spills.

The new subrule 121.3(2) allows the land application of petroleum contaminated soil without a permit, if certain criteria can be met. The criteria include a maximum application rate of 500 ton per acre per year. This maximum application rate was derived by multiplying the weight of contaminated soil per ton by a maximum application depth of four inches. The result is approximately 500 ton/acre/year.

The section on land application of saturated soil has been clarified per the commission's comments. Contaminated soil which is saturated or in slurry condition cannot be land applied without a permit. Soil which is in saturated condition may pose ignitability and groundwater contamination problems, therefore stricter regulation is warranted.

Land application must be 500 feet from a well and 200 feet from a occupied residence, stream, lake, pond, sinkhole or tile line surface intake located downgradient of the land application site. These criteria are similar to application separation distances for other types of solid wastes in Chapter 121.

The new subrule discourages the land application of petroleum contaminated soil on frozen or snow covered ground. If application cannot be avoided the slope of the land must be less than 5% and the application rate must be less than or equal to 1/4 inch thick. These criteria will minimize problems associated with runoff.

The department conducted public hearings in Des Moines, Iowa City, Atlantic, Independence, Mason City, and Storm Lake at which written and oral comments were presented.

The rules have been amended in areas where the formal public comments were consistent with the department's understanding of land treatment of petroleum contaminated soil.

567--121.3(2) has been amended by adding a soil characterization requirement. The soils must be of a certain character before the soil may be applied.

The commission is asked to adopt this proposed rule at this time.

(Rule is shown on the following 5 pages)

ENVIRONMENTAL PROTECTION COMMISSION (567)

Adopted Rule

Pursuant to the authority of Iowa Code section 455B.304, the Environmental Protection Commission gives Notice of Intended Action to amend 567--Chapter 121 "Land Application of Wastes," Iowa Administrative Code.

The Commission is adopting rule amendments pertaining to the land application of petroleum-contaminated soils. Notice of Intended Action was published in IAB, Vol. XII, No. 23 (5/16/90) p. 2048, ARC 890A.

The department held public hearings in Iowa City, Des Moines, Atlantic, Independence, Storm Lake, and Mason City. The department received oral and written comments. The proposed rules have been amended in response to the written comments.

567--121.3(2) has been amended by referencing a soil classification chart currently in Chapter 121 to characterize soil types acceptable for land application.

The following amendments are adopted.

ITEM 1. Renumber the existing subrule 121.3(2) as 121.3(3) and add the following new subrule 121.3(2):

121.3(2) Petroleum-contaminated soil. Petroleum-contaminated soil may be land applied without a permit if the land application does not violate the following.

a. The maximum soil application rate shall not exceed 500 ton/acre per year.

b. The soil will not exceed four inches in depth of application.

c. Contaminated soil which is saturated or in slurry condition cannot be land applied without a permit.

d. Contaminated soil cannot be applied within 500 feet of a well nor within 200 feet of an occupied residence.

e. Contaminated soil cannot be applied within 200 feet from a stream, lake, pond, sinkhole or tile line surface intake located downgradient of the land application site.

f. The application of contaminated soil on frozen or snow-covered ground should be avoided. If application is necessary, it shall be limited to land areas of less than five percent (5%) slope. Application rate must be $\leq$ 1/4-inch thick.

g. Slope restrictions and incorporation requirements:

Slope Class	Application Rates	Mechanical Incorporation Requirements
$\leq$ 5%	$\leq$ 1/4 inch	None
$\leq$ 5%	> 1/4 to 4 inches	Within 48 hrs. after application

h. The petroleum contaminated soil shall be applied only to soils classified as acceptable throughout the top six (6) feet of soil profile. The acceptability of the soil shall be determined using the USDA soil classifications chart in 121.3(1)a. The site shall have a minimum of six (6) feet of soil over bedrock.

i. Notification requirements. The owner of the site where the petroleum-contaminated soil originated shall notify the department prior to land application of the petroleum-contaminated soil. This shall be followed by submitting a "Land Application Notification" form, supplied by the department and all pertinent information required by the form.

j. Analytical requirements. Generally contaminated soil can be land applied without extensive monitoring programs; however, site specifications may necessitate environmental sampling to determine the impact of the application activity.

k. Record keeping requirements. The owner of the site where the petroleum-contaminated soil originated must maintain adequate records on the premises to document compliance with subrule 567--121.3(2) of the Iowa Administrative Code. The records must be maintained for five years following the last application of soil at the land farming area. The records must be available for inspection and evaluation by the department during normal working hours.

ITEM 2. Amend new subrule 121.3(3) introductory paragraph as follows:

121.3(3) Other solid wastes. No permit is required for the land application of any solid waste (other than municipal sewage sludge and petroleum-contaminated soil) which does not violate the following:

These amendments are intended to implement Iowa Code section 455B.304.

Dated this _____ day of April, 1990.

_____
Larry J. Wilson, Director

(A:EP121A.RUL/200-90/ms)

Responsiveness Summary

This was prepared in response to formal written comments received by the department relating to the proposed rule changes to Chapter 121 "Land Application of Wastes." The comments were received on or before June 15, 1990.

Commentors

1. Joyce DeLong, P.E.
2. Steve Kobberdahl
3. Robb Hubbard

1.(2) **Comment:** RE: 121.3(2); The proposed rules do not address soil types or high risk groundwater contamination areas. The Iowa Geological Survey is currently developing a system which identifies areas in Iowa which are high risk areas for groundwater contamination due to the thickness of surficial deposits. A more technical approach is needed to determine the sites for land application of petroleum contaminated soils. In some cases it may be more environmentally sound to leave the contaminated soil in place rather than move it to a high risk groundwater contamination area.

Response: The department concurs. An acceptable soils chart will be added to the proposed rules and a soil depth of a least six feet before bedrock will be required.

Recommended Action: Amend 567--121.3(2)h by replacing with the following: The petroleum contaminated soil shall be applied only to soils classified as acceptable throughout the top six (6) feet of soil profile. The acceptability of a soil shall be determined using the soil classification chart in 121.3(1)a. The site soil profile shall have at least six (6) feet of soil above bedrock.

2. (1) **Comment:** RE: 121.3(2)h; The proposed rules do not give a minimum period of time in which the notification of land application must be submitted to the department.

Response: The department is not requiring a specific period of time before notification. The contaminated soil generator should try to notify the department as soon as possible before land application, but this is not a requirement.

Recommended Action: No change

3. (3) **Comment:** RE: 121.3(2)h; The land application notification form should be changed. The legislative intent was to make the process of land application of petroleum contaminated soil as easy as possible. The application should only require designation of site, owner's name, address, and phone, and confirm specifics such as slope and acreage.

No testing or topographical map should be required. The form could include a section where a representative from the county soil survey could certify by signature that the slope and acreage of the site was indeed correct.

Response: The legislative intent is clearly to protect the groundwater of the state under the Groundwater Protection Act of 1987 (455E). The department has the authority under 455E to require all information pertinent to the protection of Iowa's groundwater. The department believes all the information currently in the notification from is required to do an adequate job of reviewing the site to ensure groundwater protection.

Recommended Action: No change

Mr. Stokes gave a brief explanation of the rule.

Motion was made by Margaret Prahl to approve Final Rule--Chapter 121, Land Treatment Procedures for Petroleum Contaminated Soils. Seconded by Nancylee Siebenmann.

Mike Earley stated that he will abstain from voting due to a conflict of interests on this issue.

Motion carried unanimously with the exception of Mike Earley abstaining.

FINAL RULE--CHAPTER 135, TECHNICAL STANDARDS FOR UNDERGROUND STORAGE TANKS

Allan Stokes, Division Administrator, Environmental Protection Division, presented the following item.

The department recommends adoption of the attached rule amendments to Chapter 135. No changes have been made to the rule amendments presented to the commission at their July meeting.

As directed by the commission, the department met with representatives of Petroleum Marketers of Iowa on July 31, 1990 to hear their comments on the proposed Chapter 135 rule changes. Based on the information presented, the department recommends no changes.

(Rule is shown on the following 5 pages)

ENVIRONMENTAL PROTECTION COMMISSION [567]
Adopted Rule

Pursuant to the Authority of Iowa Code section 455B.474, the Environmental Protection Commission adopts amendments to Chapter 135, "Technical Standards for Underground Storage Tanks." Tne amendments establish corrective action levels for petroleum contamination, minimum requirements for assessment of contamination at site closures, minimum requirements for assessment of contamination after overexcavation of contaminated soils, and acceptable analytical methods for determining petroleum contamination.

Notice of Intended Action was published in the Iowa Administrative Bulletin, March 21, 1990 as ARC 760A. In response to written comments and oral comments received at three public hearings, changes have been made to the originally proposed rules in subrules 135.7(9) and 135.8(3).

In 135.7(9), the action level for total organic hydrocarbon has been changed to 100 mg/kg from 50 mg/kg. This retains the 100 mg/kg action level already in use.

Paragraph 135.8(3)"a" has been changed by reducing the parameters that must be analyzed for at underground storage tank system closures to those listed with action levels in subrule 135.7(9). This was done to reduce analytical costs for the tank owners. The time in which samples must be shipped to a qualified laboratory has been extended to 72 hours to allow more time for shipping samples collected just prior to a weekend.

Paragraphs 135.8(3)"c" and "d" have been restructured for clarity and a sentence added indicating alternative soil sampling may be required if sands or other highly permeable soils are encountered. These soils are not accepted for a soil sample.

Paragraph 135.8(3)"g" has been amended to indicate that normal closure procedures no longer apply once contamination is found and a full site assessment in accordance with rule 135.7 will be done. This was added so the tank owner would not do unnecessary sampling when more extensive assessment work would be done.

These rules will become effective October 24, 1990.

These rules are intended to implement Iowa Code section 455B.474.

Under the authority of 455B.474(1) the following amendments to Chapter 567--135(455B) are being made.

ITEM 1. Amend rule 567--135.7(455B), "Release response and corrective action for UST systems containing petroleum or hazardous substances," by adding the following new subrule.

135.7(9) Contamination corrective action levels.

The following corrective action levels apply for petroleum contamination as regulated by Chapter 135. The contaminant concentrations must be determined by laboratory analysis. Final cleanup determination is not limited to these contaminants.

	Total Organic Hydrocarbon as the products stored (TOH)	Benzene	Toluene	Xylene
Soil	100 mg/kg	---	---	---
Groundwater	---	5 ug/L	2,420 ug/L	12,000 ug/L

ITEM 2. Rescind subrule 567--135.8(3) and replace it with the following:

135.8(3) Assessing the site at closure or change in service.

a. Before permanent closure or a change in service is completed, owners or operators must measure for the presence of a release where contamination is most likely to be present at the UST site. In selecting the sample types, sample locations, and measurement methods, owners and operators must consider the method of closure, the nature of the stored substance, the type of backfill, the depth to groundwater, and other factors appropriate for identifying the presence of a release.

At petroleum UST sites, the minimum parameters that must be analyzed for are:

1. Soil samples must be analyzed for total organic hydrocarbon (TOH) as the products that have been stored in the tank;

2. Groundwater samples must be analyzed for benzene, toluene and xylene with each compound reported separately.

All such samples shall be collected separately, and shipped to a qualified laboratory within 72 hours of collection. Samples shall be refrigerated and protected from freezing during shipment to the laboratory.

b. For all permanent tank closures or changes in service, at least one water sample must be taken from the first saturated groundwater zone via a monitoring well or borehole except as provided in paragraph "g." The well or borehole must be located downgradient from and as close as possible to the excavation but no further away than 20 feet.

c. For permanent closure by tank removal, the minimum number of soil samples that must be taken depends on tank size and length of product piping. Samples must be taken at a depth of approximately three feet below the base of the tank along the tank's centerline. Soil samples must also be taken at least every ten feet along product piping at a depth of approximately three feet below the piping.

If sands or other highly permeable soils are encountered, alternative sampling methods may be required.

If contamination is suspected or found in any area within the excavation (i.e. sidewall or bottom), a soil sample must be taken at that location.

The number of samples required for tanks are as follows:

Nominal Tank Capacity (gallons)	Number of Samples	Location on Centerline
1,000 or less	1	center of tank
1,001 - 8,000	2	1/3 from ends
8,001 - 30,000	3	5 feet from ends and at center of tank
30,001 - 40,000	4	5 and 15 feet from ends
40,001 and more	5	5 and 15 feet from ends and at center of tank

d. For closing a tank in place by filling with an inert solid material or for a change in service, the minimum number of soil borings required for sampling depends on the size of the tank and the length of product piping. Soil samples must be taken within five feet of the sides and ends of the tank at a depth of approximately three feet below the base of the tank at equal intervals around the tank. Soil samples must also be taken at least every ten feet along product piping at a depth of approximately three feet below the

piping. If sands or other highly pemeable soils are encountered, alternative sampling methods may be required.

The minimum number of soil borings and samples required are as follows:

Nominal Tank Capacity (gallons)	Number of Samples	Location of samples
6,000 or less	4	1 each end and each side
6,001 - 12,000	6	1 each end and 2 each side
12,001 or more	8	1 each end and 3 each side

e. A closure report must be submitted to the department within thirty (30) days of completion of soil and water sample analyses. The report must include all laboratory analytical reports, soil boring and well or borehole construction details and stratigraphic logs, and a dimensional drawing showing location and depth of all tanks, piping, sampling, and wells or boreholes, and contaminated soil encountered.

f. The requirements of this subrule are satisfied if one of the external release detection methods allowed in 135.5(4)"e" and "f" is operating in accordance with the requirements in 135.5(4) at the time of closure, and indicates no release has occurred.

g. If contaminated soils, contaminated groundwater, or free product as a liquid or vapor is discovered during the site assesment or by any other manner, contact the department in accordance with 135.6(1). Normal closure procedures no longer apply. Owners and operators must begin corrective action in accordance with rule 135.7(455B).

Identification of free product requires immediate response in accordance with 135.7(a). If contamination appears extensive or the groundwater is known to be contaminated, a full assessment of the contamination will be required. When a full assessment is required or anticipated, collection of the required closure samples is not required. If contamination appears limited to soils, overexcavation of the contaminated soils in accordance with 135.8(4) may be allowed at the time of closure.

ITEM 3. Amend Rule 567--135.8 by adding the following new subrule 135.8(4) and renumbering the existing subrule and those that follow.

135.8(4) Overexcavation of contaminated soils at closure.

a. If contaminated soils are discovered while assessing a site at closure in accordance with 135.8(3), owners and operators may overexcavate the contaminated soils during closure. The contamination and overexcavation must be reported to the department in accordance with the requirements of 135.6(4)"a" prior to backfilling the excavation. Initial soil samples required in 135.8(3)"c" must be taken in the contaminated areas prior to overexcavation.

b. Excavated contaminated soils must be properly disposed in accordance with chapters 567--100, 101, 102, 120, and 121(455B) of the Iowa Administrative Code.

c. Soil sampling must be done following overexcavation. At a minimum, one soil sample must be taken for every 100 square feet of the base and sides of the area overexcavated. The sample locations should be equally spaced from each other. When sampling, areas still suspected of being contaminated or previously showing contamination must be sampled. The soil samples must be analyzed in accordance with paragraph 135.8(3)"a."

d. A water sample from the first saturated groundwater zone as required in 135.8(3)"b" must be completed.

e. A report must be submitted to the department within thirty (30) days of completion of the laboratory analysis. The report must include the requirements of 135.8(3)"e" and a dimensional drawing showing the depth and area of the excavation prior to and after overexcavation. The area of contamination must be shown.

ITEM 4. Amend Chapter 567--135(455B) by adding the following new rule.

567--135.9(455B) Laboratory analytical methods for petroleum contamination of soil and water.

135.9(1) General. When having soil or water analyzed for petroleum or hazardous substances, owners and operators of UST systems must ensure appropriate and accurate analytical procedures are used. This rule provides acceptable analytical procedures for petroleum substances and required information that must be provided in all laboratory reports.

135.9(2) Laboratory Report. All laboratory reports must contain the following information:

a. Laboratory name, address, and phone number.
b. Medium sampled (soil, water).
c. Client submitting sample (name, address, phone number).
d. Sample collector (name, phone number).
e. UST site address.
f. Clients sample location identifier.
g. Date sample was collected.
h. Date sample was received at laboratory.
i. Date sample was analyzed.
j. Results of analyses and units of measure.
k. Detection limits.
l. Methods used in sample analyses (preparation method, sample detection method, and quantitative method).
m. laboratory sample number.
n. Analyst name.
o. Signature of analyst's supervisor.

135.9(3) Analysis of soil and water for high volatile petroleum compounds (i.e., gasoline, benzene, toluene, xylene).

a. Sample preparation and analysis shall be by Method OA-1, "Method for Determination of Volatile Petroleum Hydrocarbons (gasoline)," revision 1/10/90, University Hygienic Laboratory, Iowa City, Iowa. This method is based on U.S. EPA methods 5030, 8000, and 8015, SW-846, "Test Methods for Evaluating Solid Waste," 3rd Edition. Copies of Method OA-1 are available from the department.

135.9(4) Analysis of soil and water for low volatile petroleum hydrocarbon contamination (i.e., all grades of diesel fuel, fuel oil, kerosene, oil, and mineral spirits).

a. Sample preparation and analysis shall be Method OA-2, "Determination of Extractable Petroleum Products (and Related Low Volatility Organic Compounds)," revision 1/10/90, University Hygienic Laboratory, Iowa City,

Iowa. This method is based on U.S. EPA methods 3500, 3510, 3520, 3540, 3550, 8000, and 8100. SW-846, "Test Method for Evaluating Solid Waste," 3rd Edition. Copies of Method OA-2 are available from the department.

_____
Date

_____
Larry J. Wilson, Director

Mr. Stokes stated that members of his staff met with Ed Kistenmacher and other members of the industry to discuss the three issues of concern to the petroleum marketers. He stated that concurrence was reached on the issue of requiring samples to be taken every 100 square feet in an excavation area. He further explained staff position and concerns on points raised by Mr. Kistenmacher.

A lengthy discussion followed regarding requirements for soil sampling, water sampling, overexcavation, site assessments, and possible revisions to 135.8(4)a and 135.8(3)b.

Motion was made by Nancylee Siebenmann to table this item (#17A) until tomorrow. Seconded by Margaret Prahl. Motion carried unanimously.

The Commission suggested that Mr. Stokes prepare language revisions in regards to their concerns with 135.8(4)a and 135.8(3)b and bring it back for their review at tomorrow's meeting.

RECESS

Chairperson Mohr recessed the meeting at 5:00 p.m., Monday, August 20, 1990.

MEETING RECONVENES 8:30 A.M., TUESDAY, AUGUST 21, 1990

Motion was made by Margaret Prahl to remove Item #17A from the table. Seconded by Nancylee Siebenmann. Motion carried unanimously.

FINAL RULE--CHAPTER 135, TECHNICAL STANDARDS FOR UNDERGROUND STORAGE TANKS (Continued)

Mr. Stokes distributed copies of the following proposed language addition to be added on page 2, as a second paragraph under 135.8(3)b: "If, however, the first saturated groundwater zone is not encountered within _____ feet of the ground surface the requirement for sampling shall not apply unless:

(1) Sands or highly permeable soils are encountered within _____ feet of the ground surface which together with the underlying geology would, in the judgement of the department pose the reasonable possibility that contamination may have reached groundwaters deeper than _____ feet below the ground surface.

(2) Indications of potential groundwater contamination including petroleum products in utility lines, petroleum products in private wells, petroleum product vapors in basements or other structures occur in the area of the tank installation undergoing closure or change of service."

He explained the proposed language addition and noted that the Commission would have to make a decision on filling the blank regarding the depth from surface down to where limitation is placed.

A lengthy discussion followed regarding what would be a reasonable depth requirement for groundwater sampling that would satisfy both the department and industry.

Mr. Stokes suggested that the proposed language addition be revised to read as follows: "If, however, the first saturated ground water zone is not encountered within 10 feet of the ~~ground surface~~ lowest elevation of the tank excavation the requirement for ~~sampling~~ groundwater shall not apply unless:

(1) Sands or highly permeable soils are encountered within 10 feet of the ~~ground surface~~ lowest elevation of the tank excavation which together with the underlying geology would, in the judgement of the department pose the reasonable possibility that contamination may have reached groundwaters deeper than 10 feet below the ~~ground surface~~ lowest elevation of the tank excavation."

He noted that proposed language addition number (2) would remain as stated.

Motion was made by Clark Yeager to approve Final Rule--Chapter 135--Technical Standards for Underground Storage Tanks. Seconded by Gary Priebe.

Mike Earley stated that he will again abstain from voting as he has a conflict of interest in this issue.

Motion was made by Clark Yeager to approve the proposed language addition as revised. Seconded by Margaret Prahl. Motion carried unanimously with the exception of Mike Earley abstaining.

Gary Priebe asked about 135.8(4)a regarding the number of samples to be taken prior to overexcavation.

Discussion followed regarding the proper number of samples to be required.

Mr. Kistenmacher commented that his request is to delete the last sentence under 135.8(4)a.

Clark Yeager asked why the department does not use the federal regulations quoted earlier by Mr. Kistenmacher.

Mr. Stokes stated that those are the regulations for the ongoing monitoring, not for the closure.

Motion was made by Clark Yeager to delete the last sentence in 135.8(4)a which reads: Initial soil samples required in 135.8(3)"c" must be taken in the contaminated areas prior to overexcavation. Seconded by Rozanne King.

Gary Priebe commented that he would hate to see that sentence completely removed because he feels it is necessary to require at least one sample from the most contaminated area so staff will know what they are dealing with from the beginning.

Clark Yeager withdrew his motion. Rozanne King withdrew her second.

Motion was made by Margaret Prahl to delete the last sentence in 135.8(4)"a" and replace it with the following: Prior to overexcavation one soil sample shall be taken from the area showing greatest contamination. Seconded by Gary Priebe. Motion carried unanimously with the exception of Mike Earley abstaining.

Vote on Commissioner Yeager's original motion to approve Final Rule--135, Technical Standards for Underground Storage Tanks carried unanimously with the exception of Mike Earley abstaining.

PROPOSED CONTESTED CASE DECISION--LOUISA COURTS WATER SUPPLY

Mike Murphy, Bureau Chief, Legal Services Bureau, presented the following item.

On February 15, 1990, the department issued Administrative Order 90-WS-20 to Louisa Courts. That action required Louisa Courts to take corrective actions to provide a bacterially safe water supply, to perform required bacteria and nitrate monitoring, and to pay a $400.00 penalty. That action was appealed and the matter proceeded to administrative hearing on June 15, 1990. The hearing officer issued the attached Proposed Findings of Fact, Conclusions of Law, and Order on July 12, 1990. The decision affirms the Department's Order, with the exception of rescinding the penalty.

Either party may appeal the Proposed Decision to the Commission. In the absence of an appeal, the Commission may decide on its own motion to review the Proposed Decision. If there is no appeal or review of the Proposed Decision, it automatically becomes the final decision of the Commission.

Mr. Murphy briefed the Commission on the history of this case.

The Commission took no action; this has the effect of upholding the hearing officer's decision unless there is an appeal.

REFERRALS TO THE ATTORNEY GENERAL

Mike Murphy, Bureau Chief, Legal Services Bureau, presented the following item.

The Director requests the referral of the following to the Attorney General for appropriate legal action. Litigation reports have been provided to the Commissioners and are confidential pursuant to Iowa Code section 22.7(4).

Holnam Northwestern Cement (Mason City) - air quality
John J. Witt (Long Grove) - air quality/solid waste
Larry Denham (Ottumwa) - solid waste
The New Shack Tavern (Cedar Rapids) - drinking water
Swea City Oil Company - underground tanks
Amoco Oil Company (Des Moines/Ft. Madison) - underground tanks
City of Alden - penalty collection
Craig Natvig - penalty collection

Holnam Northwestern Cement

Mr. Murphy briefed the Commission on the history of this case.

Motion was made by Margaret Prahl for referral to the Attorney General's Office. Seconded by Rozanne King. Motion carried unanimously.

John J. Witt

Mr. Murphy briefed the Commission on the history of this case.

Motion was made by Margaret Prahl for referral to the Attorney General's Office. Seconded by Clark Yeager.

Mike Earley asked if any criminal action will be taken in this case.

Mr. Murphy responded that there are no criminal provisions in the air quality or solid waste areas.

Motion carried unanimously.

Larry Denham

Mr. Murphy briefed the Commission on the history of this case.

Motion was made by Rozanne King for referral to the Attorney General's Office. Seconded by Nancylee Siebenmann. Motion carried unanimously.

New Shack Tavern

Mr. Murphy asked the Commission to table this case until next month as staff has communicated with the parties and they raised some issues regarding sampling that had been done but not reported to the department. Mr. Murphy stated that it should be looked into and evaluated as to how those issues impact the case.

Motion was made by Nancylee Siebenmann to table the referral for New Shack Tavern until the September meeting. Seconded by Margaret Prahl. Motion carried unanimously.

Swea City Oil Company

Mr. Murphy briefed the Commission on the history of this case.

Discussion followed regarding the party's financial incapability and the possibility of using LUST trust funds for cleanup.

Nancylee Siebenmann pointed out an error on page 6 of the litigation report where the date of 11/20/90 should be 11/20/89.

Motion was made by Margaret Prahl for referral to the Attorney General's Office. Seconded by Mike Earley. Motion carried unanimously.

Amoco Oil Company (Des Moines/Ft. Madison)

Mr. Murphy briefed the Commission stating that this case involves leaking underground tanks. It involves a leak at an Amoco station in Ft. Madison where initial documentation of groundwater contamination has been made. The department requested a normal site assessment and has received no response in spite of two letters written to the company. The second issue involves an Amoco station in Des Moines where the contamination was reported to the department, but not until June 22, 1990. The facts show that the company was aware of the problem as early September 28, 1989. Mr. Murphy noted that that would clearly violate the hazardous condition reporting requirements and also the typical deadlines for responding to such leaks.

Motion was made by Mike Earley for referral to the Attorney General's Office. Seconded by Rozanne King. Motion carried unanimously.

City of Alden

Mr. Murphy stated that the department has received payment of the penalty along with other evidence that they have complied and he is asking that this case be withdrawn.

Craig Natvig

Mr. Murphy briefed the Commission on the history of this case.

Motion was made by Nancylee Siebenmann for referral to the Attorney General's Office. Seconded by Margaret Prahl. Motion carried unanimously.

NOTICE OF INTENDED ACTION--CHAPTER 133, GROUNDWATER CLEANUP GUIDELINES

James Combs, Division Administrator, Coordination and Information Division, presented the following item.

Attached is a Notice of Intended Action requested by the Commission, which proposes to amend the action level, and

thereby cleanup goal, for groundwater protection to the maximum contaminant level. The Commission is requested to determine the number and locations of public hearings, and to approve publication of the Notice.

(Rule is shown on the following page)

ENVIRONMENTAL PROTECTION COMMISSION [567]
Notice of Intended Action

Pursuant to the authority of Iowa Code section 455E.5, the Environmental Protection Commission for the Department of Natural Resources gives Notice of Intended Action to amend Chapter 133, "Rules for Determining Clean-up Actions and Responsible Parties," Iowa Administrative Code.

This rule amendment changes the definition of "action level" in rule 133.2(455B, 455E), by making the primary numerical criterion the maximum contaminant level (MCL) for drinking water rather than the long-term health advisory level (HAL) or negligible risk level for cancer (NRL). The general effect of this proposed change will be to make the cleanup goal for remediation of groundwater contamination less stringent.

Any interested person may make written suggestions or comments on these proposed rules prior to October 24, 1990. Such written materials should be directed to Rick Kelley, Planning Bureau, Department of Natural Resources, Wallace State Office Building, 900 East Grand Avenue, Des Moines, Iowa 50319-0034 (FAX 515-281-8895). Persons who have questions may contact Mr. Kelley at 515/281-3783. Persons are also invited to present oral or written comments at public hearings to be held on:

1.
2. (Suggest Dubuque, Sioux City and Des Moines in mid-October)
3.

These rules are intended to implement Iowa Code section 455E.5(5), and Iowa Code Chapter 455B, Division III, Part 1 and Division IV, Part 4.

The following amendments are proposed.

ITEM 1. Rule 567--133.2(455B, 455E), definition of "action level," is amended to read as follows:

567--133.2(455B, 455E) Definitions.

"Action level" means, for any contaminant, the ~~HAL~~ MCL, if one exists; if there is no ~~HAL~~ MCL, then the ~~NRL~~ HAL, if one exists; if there is no MCL or HAL ~~or NRL~~, then the ~~MCL~~ NRL. If there is no HAL, NRL, or MCL, an action level may be established by the department based on current technical literature and recommended guidelines of EPA and recognized experts, on a case-by-case basis.

Dated this _____ day of _____, 1990.

_____
Larry J. Wilson, Director

(A:EP133.SHT/pg/206-90)

Mr. Combs stated that the Commission will need to determine if they agree with the locations for the hearings, the rule as drafted, and approval of the publication of the Notice.

Nancylee Siebenmann stated that she cannot vote favorably on this rule as it proposes to amend the action level, which she would like the Commission to rethink. She added that surveys have recently shown there is a strong message that the public's major concern about the environment is the quality of their water. Commissioner Siebenmann noted that groundwater is the place to start and she feels the onus should be on prevention, and that the Commission should insist that it be cleaned up to HALs or to the extent it is possible to clean it up. She called attention to a letter to the Commission, from Debra Neustadt of the Sierra Club, expressing the fact that if the Commission adopt MCLs they are sending a message that she feels the Commission does not want to send.

Margaret Prahl stated that she agrees with Commissioner Siebenmann.

Mike Earley stated that he will also be voting against the Notice.

Motion was made by Clark Yeager to table this item until next month when there is a full Commission in attendance. Seconded by Gary Priebe.

Nancylee Siebenmann commented that it is not known that there will be a full Commission next month. She added that she will not be in attendance next month as she will be out-of-state.

Chairperson Mohr requested a roll call vote on the motion to table. "Aye" vote was cast by Commissioners King, Priebe, Yeager, and Mohr. "Nay" vote was cast by Commissioners Earley, Prahl, and Siebenmann. Vote was 4-Aye to 3-Nay and the motion failed due to a lack of concurrence of a majority of the Commission.

Commissioner Siebenmann noted that the Commission has considered this issue several times and should be ready to make a decision at this point.

Clark Yeager commented that the intent of the Commission last month was to change the cleanup guidelines to MCLs and any opposite action today would be contradictory to the Commission's wishes.

Margaret Prahl stated that there are parliamentary ways to push the issue into the future, but the Commission should simply move on it and if someone wants to bring it back up later, it can be done.

Commissioner Yeager pointed out that if the Notice is taken out to public hearing it will still come up for vote again after the public hearings.

Nancylee Siebenmann stated that she is expressing her own opinion, and she believes this rule is the wrong direction to go and cannot vote for it.

Discussion followed.

Motion was made by Nancylee Siebenmann to reject Notice of Intended Action--Chapter 133, Groundwater Cleanup Guidelines. Seconded by Mike Earley.

Margaret Prahl commented that an appropriate motion should be to approve rather than to reject an issue.

Nancylee Seibenmann withdrew her motion. Mike Earley withdrew his second.

Motion was made by Gary Priebe to approve Notice of Intended Action---Chapter 133, Groundwater Cleanup Guidelines. Seconded by Clark Yeager.

Chairperson Mohr requested a roll call vote. "Aye" vote was cast by Commissioners King, Yeager, and Mohr. "Nay" vote was cast by Commissioners Earley, Prahl, Priebe, and Siebenmann. Motion failed on a vote of 3-Aye to 4-Nay.

LEGISLATION

James Combs, Division Administrator, Coordination and Information Division, presented the following item.

Mr. Combs distributed copies of proposed legislation items and explained same.

Abandoned Well Plugging Fund

Discussion took place regarding the department's appropriation for this program.

It was noted that only $326,000 was approved for this fund in the budget item yesterday.

Charlotte Mohr commented that, if available, the Commission would like to increase the appropriated amount to $500,000 - $600,000 as shown in the legislative item.

Waste Reduction/Recycling

Clark Yeager stated that he would like to see something added to the narrative to indicate the Commission encourages and supports the development of marketing for recycled products.

The Commission indicated that they would like to see an additional legislative item to allow criminal penalties for solid waste and air quality violations.

Chairperson Mohr asked the Commission to review each legislative proposal and relate their comments to Mr. Combs.

This was an informational item; no action was required.

Mr. Combs stated that if there are any other issues or comments the Commission would like to have added they should get them to him by September 1, to have them included in the legislative packet.

RECONSIDERATION OF MOTION IN JULY 16, 1990 MINUTES

Motion was made by Margaret Prahl to reconsider the motion found on page 59 of the July 16, 1990 minutes pertaining to approval of the annual equipment budget. The word "amount" should be replaced with the words "equipment item." Seconded by Nancylee Siebenmann. Motion carried unanimously.

GENERAL DISCUSSION ITEMS

Nancylee Siebenmann mentioned an advisory committee meeting for CHEEC to be held August 29.

Chairperson Mohr thanked Margaret Prahl and the folks in Sioux City for hosting the Commission meeting.

ADDRESS ITEMS FOR NEXT MEETING

Aidex Update

Suggested Meeting Schedule for 1991

A number of Commissioners related that they received many comments from people expressing their gratitude to the Commission for holding the meeting in their area. Discussion followed regarding the possibility of holding the October meeting out in the public.

ADJOURNMENT

With no further business to come before the Environmental Protection Commission, Chairperson Mohr adjourned the meeting at 10:50 a.m., Tuesday, August 21, 1990.

Nancylee Siebenmann, Secretary

Larry J. Wilson, Director

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